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U.S. HOUSE OF REPRESENTATIVES

THE CHILD SUPPORT ENFORCEMENT PROGRAM: POLICY AND PRACTICE

A REPORT PREPARED BY THE CONGRESSIONAL RESEARCH SERVICE
FOR THE SUBCOMMITTEE ON HUMAN RESOURCES,
COMMITTEE ON WAYS AND MEANS

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LETTER OF SUBMITTAL

November 3, 1989

Honorable Thomas J. Downey
Acting Chairman, Subcommittee
on Human Resources
Committee on Ways and Means
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In March 1989 you requested the Congressional Research Service (CRS) to assist the Subcommittee by preparing a comprehensive analysis of the Child Support Enforcement program to further understanding about it and to identify policy issues.

In response to your request, the enclosed report was prepared for the Subcommittee. It examines the history and operations of the Child Support Enforcement program, which provides four primary services: location of noncustodial parents, establishment of paternity, establishment of child support obligations, and collection of support payments. It also explores major issues related to the program.

We are pleased to transmit this report to you and hope that it will be helpful to your Subcommittee and to Congress.

Sincerely,

Joseph E. Ross
Director

Enclosure

THE CHILD SUPPORT ENFORCEMENT PROGRAM: POLICY AND PRACTICE

SUMMARY

The Child Support Enforcement (CSE) program provides four services to both Aid to Families with Dependent Children (AFDC) and non-AFDC clients: parent location, paternity establishment, establishment of child support orders, and collection of support payments. States carry out their CSE programs pursuant to State Plans, which must be approved by the Office of Child Support Enforcement (OCSE) before the State can receive Federal funding.

P.L. 93-647 established the child support and establishment of paternity provisions as part D of the Social Security Act in 1975. The CSE program began operating in August 1976. Since then, the CSE program has seen tremendous growth. CSE collections increased from $512 million in FY 1976 to $4.6 billion in FY 1988. After adjusting for inflation, this is an increase of 328 percent. Over the same period, the total cost of operating the program rose to $1.171 billion at a slightly slower rate, 300 percent after adjusting for inflation. During FY 1977-1988, the number of paternities established per year more than quadrupled, from 68,000 to 306,000, and the number of child support orders obtained per year increased by 373 percent, from 183,000 to 866,000.

Notwithstanding these facts, a recent Census Bureau report indicates that 4 out of every 10 mothers eligible for child support in 1985 did not have a support order. Moreover, the report says that of the $10.9 billion due in child support payments in 1985, only $7.2 billion was paid. Some studies have concluded that fathers have the ability to pay from $24 to $30 billion annually in child support payments.

Only if a much higher percentage of mother-child families received support awards, in generally higher amounts, and only if these support orders were enforced diligently, might the CSE program enable a larger number of families to leave poverty (and/or AFDC). On the other hand, it appears that child support payments can have a significant impact on reducing AFDC costs. One study concludes that it is *possible* for the CSE program to recover between 15 and 20 percent of total AFDC benefit costs, rather than the 9.7 percent recovered in FY 1988.

Some observers suggest that the CSE system should give highest attention to establishing paternity (and finding the father), regardless of the father's ability to pay. They argue that both parents have important roles, aside from material support, in building the self-esteem of their children and helping them become self-sufficient members of the community.

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The principal author of the report was Carmen D. Solomon. Ilene Shapiro prepared the charts and wrote appendix B, which gives the legislative history of the Child Support Enforcement program, 1950-1988. They were aided by comments and suggestions from Vee Burke, Thomas Gabe, and Joe Richardson, coworkers in the Education and Public Welfare Division of the Congressional Research Service, and Robert C. Harris and David Smith of the Office of Child Support Enforcement, U.S. Department of Health and Human Services.

THE CHILD SUPPORT ENFORCEMENT PROGRAM: POLICY AND PRACTICE

OVERVIEW AND FINDINGS

A growing proportion of children under age 18 live in single-parent homes. In 1970, 11.9 percent of the 69.2 million children lived in single-parent families. In March 1988, 25 percent of the 61.3 million children lived with only one parent, even though all but 1 million of them had two *living* parents. Twenty-three percent of the Nation's children lived in a family where their parents had never married, or were divorced or separated: 20.7 percent lived with their mothers and 2.7 percent lived with their fathers. This is causing much concern since studies indicate that it is usually the case that when a family breaks up the mother and children will *not* maintain the standard of living that they had when the family was together and that the father achieves after the separation.

In 1988, 44.7 percent of the nearly 7.4 million families maintained solely by the mother, with children under age 18, had incomes below the poverty threshold. Almost 10 percent of the mothers of these poor families worked full time year round. In March 1988, children in mother-only families (whose fathers lived elsewhere) numbered 12.7 million. Slightly less than half of such children, 6.4 million, were enrolled in the program of Aid to Families with Dependent Children (AFDC) and potentially were eligible for child support payments. Such findings make clear that financial support from noncustodial parents has an important role to play in helping children and their caretakers remain or become "self-sufficient."

The Problem of Nonsupport

In 1985, of the 8.8 million women who had children present under the age of 21 from an absent father, 39 percent never were issued a court order for child support (nor had an agreement to receive child support payments) and, thus, were dependent for income on sources other than the father. For poor mothers, the proportion without child support awards was even higher, 60 percent. (See table 1.)

Of the 8.8 million women with children under age 21, approximately 5.4 million (61 percent) had been awarded child support or had an agreement to receive child support payments, but only 4.4 million (50 percent) of the women were actually "supposed to receive" child support in 1985. The remaining 11 percent (1.015 million) were no longer eligible because the father who owed payments had died, the children had grown past the age of eligibility for

payments, or other reasons. (See table 1.) AFDC mothers comprised 23 percent of the 7.8 million women (8.8 million minus 1 million) who were potentially eligible for child support payments in 1985. This figure excludes the women who were issued a support order, but who were not supposed to receive payments (because of the reasons listed above).

Many of the women who were owed child support payments did not receive the full amount they were due. In 1985, less than half (48 percent) of the 4.4 million women owed child support payments received the full amount, about 26 percent of the women received less than they were owed, and 26 percent received no payment at all. (See table 1.) In 1985, the average annual child support enforcement (CSE) caseload was 8.4 million (a woman who has children by more than one man is counted the appropriate number of times in the CSE caseload; therefore, the CSE caseload may be larger than the number of women potentially eligible for child support payments). In 1985, the CSE program collected child support on behalf of an average of 684,000 AFDC cases and 654,000 non-AFDC cases, only 16 percent of the CSE caseload.

While marital status, race, education, and age are significant factors in predicting whether a woman will be issued a child support order, once awarded a child support obligation these factors are no longer reliable determinants of who will actually receive payments. Below are data showing how marital status and race affect the likelihood of being awarded child support and of receiving child support.

Only 18 percent of women with children under age 21 who had never married were awarded child support payments, compared with nearly 82 percent of divorced women, 82 percent of remarried women, and 43 percent of women who were separated. Among women with awards, the percentages of those who actually received payments were: 62 percent of never-married mothers, 51 percent of remarried mothers, 65 percent of separated mothers, and 66 percent of divorced mothers. (See table 2.)

Only 36 percent of black women were awarded child support payments compared with 71 percent of white women and 42 percent of Hispanic women. Among women with awards, the percentages of those who actually received payments were: 56 percent of black women, 61 percent of white women, and 56 percent of hispanic women.[1] (See table 2.)

Of the 3.2 million women who actually received child support payments in 1985, 50 percent were divorced, 30 percent were remarried, 12 percent were separated, and 7 percent were never married; 15 percent were black, 84 percent were white, and 6 percent were Hispanic. (See table 2.) In addition, 11 percent received AFDC and 89 percent did not.

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[1]Hispanic women may be of any race.

Table 1. **Award and Recipiency Status of Women—Child Support Payments for All Women and Women Below the Poverty Level**

(Women with own children under 21 years of age present from absent fathers as of spring 1986,1984, 1982, and 1979)

Award and recipiency status	Number (thousands)				Percent distribution			
	1985	1983	1981	1978	1985	1983	1981	1978
ALL WOMEN								
Total	8,808	8,690	8,387	7,094	100.0	100.0	100.0	100.0
Awarded[1]	5,396	5,015	4,969	4,196	61.3	57.7	59.2	59.1
Supposed to receive payments	4,381	3,995	4,043	3,424	49.7	46.0	48.2	48.3
Not supposed to receive payments	1,015	1,020	926	772	11.5	11.7	11.0	10.9
Not awarded[1]	3,411	3,675	3,417	2,898	38.7	42.3	40.7	40.9
Supposed to receive payments	4,381	3,995	4,043	3,424	100.0	100.0	100.0	100.0
Received payments	3,243	3,037	2,902	2,455	74.0	76.0	71.8	71.7
Received full amount	2,112	2,018	1,888	1,675	48.2	50.5	46.7	48.9
Received partial amount	1,131	1,019	1,014	779	25.8	25.5	25.1	22.8
Did not receive payments	1,138	958	1,140	969	26.0	24.0	28.2	28.3
WOMEN BELOW THE POVERTY LEVEL								
Total	2,797	2,898	2,586	1,973	100.0	100.0	100.0	100.0
Awarded[1]	1,130	1,231	1,018	752	40.4	42.5	39.7	38.1
Supposed to receive payments	905	916	806	596	32.4	31.6	31.4	30.2
Not supposed to receive payments	225	315	212	156	8.0	10.9	8.3	7.9
Not awarded[1]	1,668	1,667	1,547	1,221	59.6	57.5	60.3	61.9
Supposed to receive payments	905	916	806	596	100.0	100.0	100.0	100.0
Received payments	595	568	495	351	65.7	62.0	61.4	58.9
Did not receive payments	310	348	311	245	34.3	38.0	38.6	41.1

[1]Award status as of spring 1986, 1984, 1982, and 1979.

Source: U.S. Bureau of the Census. Current Population Reports. Child Support and Alimony: 1985 (Supplemental Report). Series P-23, No. 154, Mar. 1989. Washington, U.S. Govt. Print. Off., 1989. p. 3.

TABLE 2—CHILD SUPPORT PAYMENTS AWARDED AND RECEIVED IN 1985—WOMEN WITH CHILDREN PRESENT, BY SELECTED CHARACTERISTICS

(Women with own children under 21 years of age present from an absent father as of spring 1986)

Characteristics of women	Total (thousands)	Percent awarded child support payments [1]	Supposed to receive child support in 1985			
			Total (thousands)	Actually received support in 1985		
				Percent	Mean child support	Mean income
ALL WOMEN						
Total	8,808	61.3	4,381	74.0	$2,215	$14,776
Current Marital Status						
Married [2]	2,322	82.0	1,416	68.5	1,966	13,512
Divorced	3,045	81.8	2,179	75.1	2,538	16,778
Separated	1,363	43.1	453	84.3	2,082	12,642
Widowed [3]	69	(B)	30	(B)	(B)	(B)
Never married	2,009	18.4	303	76.2	1,147	9,675
Race and Spanish Origin						
White	6,341	70.6	3,651	74.6	2,294	15,052
Black	2,310	36.3	657	72.0	1,754	13,297
Spanish origin [4]	813	42.1	282	68.1	2,011	11,505
Years of School Completed						
Less than 12 years	2,230	45.2	750	67.1	1,835	9,144
High school: 4 years	4,176	63.3	2,152	74.3	2,040	13,577
College:						
1 to 3 years	1,653	70.7	1,003	74.6	2,447	17,014
4 years or more	748	76.6	476	82.1	2,978	22,639
WOMEN WITH INCOMES BELOW POVERTY						
Total	2,797	40.4	905	65.7	1,383	5,130
Current Marital Status						
Married [2]	180	67.2	81	61.7	(B)	(B)
Divorced	795	71.9	499	60.3	1,522	5,295
Separated	646	34.2	158	73.4	1,503	4,994
Widowed	18	(B)	4	(B)	(B)	(B)
Never Married [3]	1,159	17.9	163	75.5	900	5,450
Race						
White	1,569	50.2	631	65.1	1,463	5,005
Black	1,190	27.1	257	67.7	1,085	5,403
Spanish origin [4]	414	24.2	74	(B)	(B)	(B)

[1] Award status as of spring 1986.
[2] Remarried women whose previous marriage ended in divorce.
[3] Widowed women whose previous marriage ended in divorce.
[4] Persons of Spanish origin may be of any race.

Note.—B base less than 75,000.

Source: U.S. Bureau of the Census. Current Population Reports, Series P–23, No. 152. Child Support and Alimony: 1985 (Advance Report). U.S. Government Printing Office, Washington, 1987.

Methods of Obtaining Child Support

Legally both parents are responsible for the financial support of their children. If the parents are divorced, separated, or have never been married to each other, State laws generally require noncustodial parents to make payments to custodial parents for the support of dependent children once a support order is issued. If the noncustodial parent agrees to pay child support and abides by his agreement, there is no problem. However, in many cases, custodial parents find that they need a support order to obtain child support payments. To have a support obligation established on behalf of their children, custodial parents can hire a private attorney or apply for CSE services. As one might expect, hiring a private attorney is more expensive than applying for services under the Federal/State CSE program. Data indicating the percentage of cases handled by the CSE program as compared with private attorneys are not available. In some States nearly all non-AFDC child support cases are handled by the CSE agency whereas in other States a minority of these cases are handled by the CSE agency. Data indicate that, overall, only 31 percent of all child support payments (including those for AFDC children) are made by the CSE program. The rest is collected directly by the parents or via the court system.

All AFDC child support cases are administered by the CSE agency. A mother who applies for AFDC on behalf of her child must assign her child's support rights to the State. She also must cooperate with the State in locating the absent parent.

The primary mission of the CSE program is to collect child support payments regularly from the noncustodial parent (usually the father). However, in FY 1988 a child support collection was made in less than 20 percent of the 11.1 million CSE cases handled that year. The percentage of AFDC cases with a collection was almost 11 percent and the percentage for non-AFDC cases was nearly 30 percent.

At the Federal level, the Office of Child Support Enforcement (OCSE) administers the CSE program. At the State level, responsibility for the program may be lodged with any local agency. However, only one agency may be responsible for the program. In all but a few States, the CSE agency is located within the "umbrella" social services or human resources department, which also houses the AFDC program. The administering agency may perform all of the CSE services or enter into cooperative agreements with law enforcement officials or others to provide some or all of the CSE services.

Directions on how to obtain help from CSE offices vary among the States and may be obtained by writing or telephoning the relevant State office. Appendix C provides addresses and telephone numbers of State CSE offices.

Findings

This report reviews the CSE program's history and operations. Some of its major findings are:

- In FY 1988, 47 percent of the $4.6 billion in child support payments made under the CSE program was collected through the more publicized enforcement techniques: wage withholding, Federal income tax refund offset, State income tax refund offset, and unemployment compensation intercept. The remaining 53 percent primarily came from noncustodial parents who were complying with their support orders by sending their payments to the CSE agency. In addition, 1.3 percent of collections came from noncustodial parents who voluntarily sent money for their children even though a support order had never been established for their children. (See table 4 and chart 1.)

- Collections made through the Federal income tax refund offset program have increased significantly since it began in 1982, despite the expectation of the Internal Revenue Service (IRS) that once noncustodial parents became aware of how the program worked they would change their finances so as not to receive an income tax refund.

- Estimates based on the Federal income tax refund offset program and other sources suggest that approximately 30 percent of child support cases concern children whose fathers live in a different State, and, thus, require interstate collection.

- According to a General Accounting Office (GAO) sample survey in 1984, the CSE agency failed to determine paternity for almost 60 percent of the AFDC children for whom it was unknown.

- In 1985, 39 percent of the 8.8 million mothers with children under age 21 whose fathers were living apart from the family did not have a child support award. The number of mothers who had an award totaled 5.4 million, and 44 percent of the awards included health insurance for the child. (See table 3.)

- Of the 3.2 million women who actually received child support payments in 1985, 50 percent were divorced, 30 percent were remarried, 12 percent were separated, and 7 percent were never married; 15 percent were black, 84 percent were white, and 6 percent were hispanic. In addition, 11 percent received AFDC and 89 percent did not.

- Child support payments amounting to $10.9 billion were owed in 1985; $7.2 billion was paid that year. Of this total, $2.7 billion was

collected by the CSE program. Some studies indicate that noncustodial parents have the ability to pay $24-$30 billion annually.

- The Federal share of child support collections made on behalf of AFDC clients directly offsets Federal AFDC benefit expenditures. Nevertheless, unlike the States, the Federal Government has never recovered its costs from the CSE program. The CSE program is a net cost to the Federal Government. (See table 8.) However, many observers argue that the intangible benefits of the CSE program, namely welfare cost-avoidance and prevention/deterrent effects, make the program worthwhile, despite considerations of cost-effectiveness.

- Net public savings from the CSE program (defined as the amount of CSE collections distributed to the Federal and State governments minus operating costs) declined 88 percent, from $200.9 million in FY 1979 to $24 million in FY 1988, even though total CSE collections more than doubled during the same period. This decrease in public savings primarily was caused by the provision in law requiring that up to the first $50 received by the CSE agency on behalf of an AFDC family be "passed through" to the family without affecting its eligibility for AFDC or AFDC benefit payment.

- The point at which a State breaks even (exactly recovers collection costs) in child support payments on behalf of AFDC recipients primarily depends on the share of AFDC benefit costs that it pays, and this, in turn, is related inversely to State per capita income. This means that States that are entitled to a relatively small proportion of child support collections (because of paying a small share of AFDC benefit costs) have to collect more child support payments per administrative dollar than other States to recover their costs (other things being equal). (See table 7.)

- Although single mothers receiving child support are significantly less likely to receive welfare than single mothers who receive no child support, child support alone is not sufficient to cause the average mother to become ineligible for AFDC. Many researchers attribute this to the historically low levels of child support awards. Furthermore, data also show that the lack of child support payments alone does not lead to AFDC recipiency. According to Census Bureau data, 81 percent of the 1.139 million mothers who were owed child support in 1985 but received *none* did not become AFDC recipients that year. Moreover, 65 percent of the 3.4 million women who were *not* issued child support orders in 1985 did not become AFDC recipients in 1985.

- In FY 1988, the sum collected by the CSE agency from AFDC parents equalled 9.7 percent of AFDC benefit expenditures. Not all of the sum can be attributed to the CSE program, since in its absence mothers would have received some payments. Some

researchers estimate that about 25 percent of the gain can be attributed directly to the CSE program. One study suggests that if a successful system of mandatory wage withholding were achieved and greater efforts made to establish child support obligations, the CSE program might recover between 15 and 20 percent of total AFDC benefit expenditures.

Background

In 1950, when only a small minority of children were in mother-only families, the Federal Government took its first CSE steps. Congress added to AFDC law a provision that required State welfare agencies to notify law enforcement officials when AFDC benefits were being furnished to a child who had been abandoned by one of his parents. From 1950 to 1975, the Federal Government confined its CSE efforts to these welfare children; it generally was thought that child support establishment and collection was a domestic relations issue that should be dealt with at the State level by the courts.

By the early 1970s, Congress recognized that the composition of the AFDC caseload had changed. In earlier years the majority of children needed financial assistance because their fathers had died; by the 1970s the majority needed aid because their mother was never married to their father or because their parents were separated or divorced. The Child Support Enforcement and Paternity Establishment program, enacted in 1975, was a response by Congress to (1) reduce public expenditures on welfare by obtaining support from noncustodial parents on an ongoing basis and by helping nonwelfare families get support so they could stay off public assistance, and (2) establish paternity for children born outside of marriage so that child support could be obtained for them.

Although the CSE program required States to provide parent "locate" services, paternity establishment services, establishment of support services, and enforcement services to both AFDC and non-AFDC families, from 1975 to 1984 the program, in most States, focused on AFDC families. A partial reason was the way in which child support collections were distributed. The State generally retained none of the collections obtained on behalf of non-AFDC families. Such collections went to the family. A second reason was the way States were paid for their collection efforts. Federal incentive payments to States (to encourage them to participate in the CSE program) were based entirely on AFDC collections. The 1984 amendments to the CSE program changed the incentive formula, basing it on collections obtained on behalf of *both* AFDC and non-AFDC families. The major impetus behind the passage of the 1984 amendments was the groundswell of public support in favor of tougher CSE efforts. Women's groups aware that the CSE program could be used to help a growing number of single-parent families supported the amendments. CSE administrators who thought that Federal legislation was the only way that their States would enact tougher enforcement procedures

also were among the constituencies that initiated the debate and continued interest in the issues until the 1984 CSE amendments were enacted.

The primary task of the existing CSE program is to collect child support payments on an ongoing basis from noncustodial parents. However, the program components are obviously interrelated. The location of the father must be known or determined before it is possible to even hope to obtain child support payments from him. If the paternity of a child is not established, the alleged parent cannot be made responsible for child support payments. Tests used to establish or disprove parentage have become more advanced over the years, and now include genetic testing. Depending on the number of genetic markers examined, and their rarity, it is now possible to exclude more than 95 percent of all falsely accused men, and if sufficient tests are performed, to exclude more than 99 percent of all those who are wrongly accused of paternity.[2] Thus, it is important that blood tests be performed on putative fathers because in some cases the findings may convince the man that he in fact is the child's father, which may make him more accepting of his duties; and in other cases may disprove the allegation of paternity.

If a child support obligation is not established, support payments on behalf of the child cannot be obtained.[3] Data indicate that, in 1985, only 61 percent of women in circumstances warranting child support (women with children under age 21 whose fathers were living apart from the family) had agreements to receive support payments. For poor mothers, the situation was worse; only 40 percent of such mothers had child support awards in 1985.

Once an award has been initiated by a court or administrative order, there are several enforcement techniques that States are required to have available for collecting payments. They include income withholding, liens against property, State income tax refund offsets, unemployment compensation intercepts, and providing arrearage information to credit bureaus (upon the request of the credit agency). In addition, upon receiving notice from appropriate CSE personnel, the Secretary of the Treasury is required to use Federal income tax refund offsets (if appropriate). With the exception of income withholding, which in some States can be applied before there is an arrearage, the listed enforcement techniques can be used only when child support payments are overdue. Of these procedures, only the Federal income tax refund offset and the unemployment compensation offset were required by Federal law before October 1985, but some States had adopted some of the

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[2]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. National Institute for Child Support Enforcement. *Essentials for Attorneys in Child Support Enforcement*. Washington, 1985. p. 365. [Hereafter cited as U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*]

[3]Although this aspect of the program may be connected with factors related to location and paternity establishment, in many cases it is not.

other collection techniques voluntarily. Data are not yet available to reflect the use of the full array of enforcement tools. The most recent Census Bureau report, for 1985, showed that 26 percent of the 4.4 million mothers owed support in 1985 were not paid the full amount of the order (child support payments averaged $2,215 for the year, $185 a month as compared to an average monthly AFDC benefit of $339 per family), and 26 percent of the women were paid nothing at all. The next Census Bureau report on child support and alimony, expected in early 1990, will provide 1987 data, giving a clearer picture of what is happening in the area of child support awards and collections.

One of the remaining obstacles to an effective CSE system is lack of automation. Without it, CSE staff spend much of their time sending letters to clients, setting up appointments (with CSE staff or courts), or seeking information. The need for fully automated tracking systems will become more apparent when new provisions of law take effect that enlarge the duties of the CSE system. By November 1990, immediate income withholding will be required for new or modified support orders enforced by the CSE agency (and by January 1994, immediate income withholding will be required for new orders enforced outside the CSE program, as well). To carry out its new tasks, CSE staff will require a way to monitor collections and reimbursements impartially and efficiently. In addition, fully automated CSE systems should enable staff to devote more of their time to educating the public on issues of child support and paternity establishment. If both parents are educated on the social and psychological effects of the father-child bond, more mothers may be willing to cooperate with CSE staff, regardless of their feelings about the father, and more fathers may be willing to fulfill their parental duties.

This report provides a detailed discussion of the workings of the CSE system so as to facilitate better understanding of the program. The report describes and discusses the existing CSE program. First, it analyzes the State role in providing CSE services. The underlying fact of the CSE program is that the States, not the Federal Government, determine whether or not the program operates effectively. Although the Federal Government imposes many requirements on the CSE program, States must enact their own statutes to implement the program. The report examines the connections between the CSE and AFDC programs and discusses in detail the four services provided by the program, i.e., location, paternity establishment, establishment of support orders, and collection of support payments, including the structures (court versus administrative systems) that States use to carry out the services. Second, it discusses how the Federal Government got involved in issues pertaining to family law, explores the change in Federal perspective toward the program, and examines the role of CSE agencies and other entities, such as the IRS and the Federal Courts, in the program. Third, it discusses the financing of the program and explains the way in which collections are distributed among the States, Federal Government, and clients. Fourth, the performance of the CSE program is reviewed.

The last part of the report examines some of the major issues related to child support enforcement. It raises the question of whether the self-esteem associated with a child's knowing and having a relationship with his father is reason enough for the existence of the CSE program, irrespective of the father's ability to pay child support. It finds that poor women, black women, and never-married women, when compared with other groups of women, are less likely to have support awards established for their children. It asks whether this is primarily because the fatherhood of their children is less likely to be determined or because the fathers cannot be found. It also notes that States, in determining their guidelines for child support award amounts, differ in how they treat income of subsequent families of noncustodial parents and income of spouses of the custodial parent. This section of the report also discusses other issues such as interstate enforcement, lack of automated CSE systems, conflicts over visitation rights as they affect receipt of child support payments, welfare "cost avoidance," and for whom the CSE attorney works.

Appendix A presents information obtained from CSE officials in Prince George's County, Maryland, the District of Columbia, and Fairfax County, Virginia; Appendix B provides a legislative history of the program; Appendix C lists the addresses and telephone numbers of each of the CSE agencies, and Appendix D provides selected State CSE statistics, excerpted from the OCSE's 13th annual report to Congress.

STATE/LOCAL ROLE

The CSE program provides services to locate absent parents, establish paternity, and assist in the establishment and collection of child and spousal support payments. The structure of the program leaves basic responsibility for child support and paternity determination to the States and localities, but the Federal Government plays a major role in providing general program supervision and technical assistance. The Federal law and regulations that created and regulate the CSE program provide the foundation for the program within the State and local jurisdictions. Since, historically, family law has been an area reserved for the States, each State builds a unique program, based on its law and procedures. The way in which each State carries out its CSE program is specified in a State Plan, which must be approved by the OCSE in order for the State to receive Federal funding. These plans stipulate the functions and responsibilities of the States. Federal law requires that each State designate a single and separate organizational unit to administer the CSE program within the State. In most States, the CSE agency is located within the "umbrella" social services or human resources department, which also houses the AFDC program. However, two States, Alaska and Massachusetts, have designated their department of revenue as the administering agency of the CSE program; two States, Hawaii and Texas, have their CSE agency located in their office of the attorney general; and the Virgin Islands houses its CSE agency in its department of law. The Social

Security Act requires every State that is operating an AFDC program to run a CSE program as well.

"Locate" Services

The State CSE agency is required to attempt to locate the absent parents of both AFDC and non-AFDC children (on application by the parent) whose whereabouts are unknown. The first step in locating absent parents is a thorough interview with the custodial parent. Although the parent may not know the noncustodial parent's address or place of employment, the custodial parent can provide background information which will often enable the CSE personnel to concentrate the search in a particular area. While there is no standard method of locating noncustodial parents, according to Margaret Campbell Haynes, director of the American Bar Association Child Support Project, the interview with the custodial parent should cover the following subjects:

- absent parent's full name and nickname;
- any other name used by absent parent;
- absent parent's birth date and city and State of birth;
- names and addresses of absent parent's parents, including maiden name of absent parent's mother;
- absent parent's current address and phone number;
- if current address and phone number are unknown, the last known address and phone number of absent parent, and date as to when such information was current;
- absent parent's address and phone number prior to last known address and phone number;
- absent parent's current employment, identifying name and address of company, length of employment at company, name of supervisor and type of work done;
- absent parent's previous employment, identifying names and addresses of companies, lengths of employment, names of supervisors, and type of work done;
- any remarriage of absent parent, identifying date and location of marriage, current spouse's maiden name, current spouse's place of employment;
- location of any real property owned by absent parent;

- any private, military, or government pension, or benefits received by absent parent, identifying amount and source of benefits;
- names, addresses, and phone numbers of absent parent's relatives and friends;
- hobbies of absent parent;
- clubs or organizations to which the absent parent belongs;
- any criminal record of absent parent, identifying date and location of arrest and conviction, offense involved, and date and location of any incarceration;
- if absent parent is on probation, jurisdiction supervising the probation and name of probation officer;
- any military service of absent parent, identifying branch of service, date and location of assignment, absent parent's rank and service number.[4]

In trying to locate absent parents, States are directed to use what are described in the Federal regulations (45 C.F.R. 303.3) as "appropriate local locate sources," such as officials and employees administering public assistance, general assistance, medical assistance, food stamps and social services, relatives and friends of the absent parent, current or past employers, the local telephone company, the U.S. Postal Service, financial references, unions, fraternal organizations, and police, parole, and probation records if appropriate.

Moreover, each State CSE agency is required to establish a State Parent Locator Service (PLS) that aids in the search for absent parents by using appropriate State agencies and departments, including the departments that maintain records of public assistance, unemployment insurance, income taxation, drivers' licenses, vehicle registration, and criminal records. If the State PLS finds that the parent has moved to another State, it can ask that State to search. At the same time, it can send a request to the Federal Parent Locator Service (FPLS).[5]

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[4]Haynes, Margaret Campbell. *Locating Absent Parents and Their Assets*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 91-92. [Hereafter cited as Haynes, *Locating Absent Parents and Their Assets*]

[5]States are no longer required to exhaust State parent locator resources before accessing the FPLS (effective August 16, 1984).

Federal Parent Locator Service. The FPLS is a computer network system used to find absent parents in order to enforce child support obligations. Upon request from an authorized person through the State's PLS, the FPLS provides the absent parent's social security number, the most recent address, and the last known place of employment if the information can be of found in the records of the Social Security Administration (SSA), the IRS, the Department of Defense (DoD), the Department of Transportation (Coast Guard), the National Personnel Records Center, the Department of Veterans' Affairs (DVA), or the Selective Service System.

The FPLS searches through the records of the IRS and the SSA weekly. The IRS provides the home address the absent parent used on his most recent 1040 tax return and provides a social security number in cases where the absent parent's number is unknown and the absent parent and the custodial parent filed a joint tax return within the last 3 years. The IRS maintains addresses for more than 100 million individuals. The SSA provides the absent parent's social security number, employer's address from an absent parent's W-2 form, and if the absent parent receives social security benefits, the address to which the previous month's check was mailed. The SSA earnings files contain the employer's name and address for over 200 million individuals,[6] and the beneficiary files contain home addresses of 36 million persons. The FPLS searches through the records of the Selective Service, the DoD, and the National Personnel Records Center every other week. The records of the DVA are accessed monthly. The DVA maintains records of about 15 million persons receiving veterans compensation, pensions, or educational benefits.

The time required by the FPLS to process a request varies. If the State PLS has provided a social security number, the request can be accessed through records of the IRS and the SSA within 1 or 2 weeks. If location requires a search of agency and department records, which are accessed biweekly, a response usually takes 2 to 3 weeks. If location requires a search of the DVA records, a response may take up to 2 months. If the State PLS does not provide a social security number, it takes longer for the FPLS to provide the relevant information.

Besides the absent parent's name, a social security number is the most important element in locating the parent. There are several places the custodial parent can check to discover the absent parent's social security number: old insurance policies, medical records, copies of loan applications, bank account statements, and copies of State and Federal income tax returns. Some States use a person's social security number as his or her driver's license number.[7]

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[6]Haynes, *Locating Absent Parents and Their Assets*, p. 97.

[7]Ibid., p. 92.

Once the absent parent is located, the next step is for CSE personnel to explore the assets of the parent from which the child support can be collected. Again, the best source of information is the custodial parent. The type of assets discovered will determine the enforcement technique(s) eventually selected by the CSE personnel.[8] Although the process of locating the noncustodial parent has been discussed as a sequential process, the various components of the "locate" process can be (and often are) performed simultaneously.

Paternity Establishment

The CSE agency's first step in establishing paternity is to interview the mother and ask her the name of the child's (or children's) father. Until the mother of a child makes an allegation of paternity, the CSE office can take no action. The mother can make no allegation (which could be found to signify noncooperation without good cause), one allegation, or several allegations. If the CSE agency decides to pursue the case and the alleged father does not come voluntarily with the mother to the CSE office, the paternity worker initiates the process of location.

In the case of an alleged father who lives in another State, the CSE agency may use "long-arm statutes" or actions under the Uniform Reciprocal Enforcement of Support Act (URESA) in pursuing the paternity of a child in addition to the location sources and techniques discussed above. Even though an obligor (i.e., the noncustodial parent) may be located in a different State than the custodial parent, he may be subject to the jurisdiction of the courts of the custodial parent's State pursuant to the State's long-arm statutes, which generally are based on significant minimal contacts by the obligor with the custodial parent's State. Long-arm statutes may be used to establish paternity, establish support awards, and enforce support orders. URESA is an Act that has been adopted in various forms by all 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. It was enacted in 1950, amended in 1952 and 1958, and substantially revised in 1968. URESA attempts to provide consistent statutory provisions for the establishment and enforcement of interstate, and sometimes international, support orders without requiring the person seeking support to bring the action in the noncustodial parent's State. URESA may be used to establish paternity, establish awards, and enforce orders.

Once the alleged father is located, the caseworker will ask him if he is the father. If he replies in the affirmative, generally he is asked to sign a voluntary paternity acknowledgement, which, in some States, must be approved in court. The 1988 Family Support Act (P.L. 100-485) "encourages" States to establish and implement a simple civil process for voluntarily acknowledging paternity. In cases where the alleged father denies paternity,

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[8]Ibid., p. 109.

a court usually decides the issue, based on scientific and testimonial evidence. Through the use of blood-testing techniques, a man may be excluded as a possible natural father, in which case no further action against him is warranted.

While absolute proof of paternity cannot be established by scientific testing, the probability of excluding a falsely accused man is often greater than 90 percent and is sometimes as high as 99 percent. Since the question of paternity is essentially a scientific one, it is important that the verification process include available advanced scientific technology. The use of the "deoxyribonucleic acid (DNA) fingerprinting" test increases the likelihood of correct identification of putative fathers.

> *From a single drop of blood, DNA fingerprinting produces a unique code that determines parental origin. The pattern of DNA in each human is inherited from both biologic parents. The child will have DNA characteristics of both parents. Every aspect of the child's code can be attributed to either the mother or the father. First the laboratory compares the child's fingerprint with the mother's, matching the identical portions of the print. Then the laboratory makes multiple comparisons of those portions of the child's fingerprint that remain to the fingerprint of the putative father. If the man is the father, every remaining portion will match. Similarly, if the man is not the father, very few will match.*
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> *The DNA fingerprinting technique promises far superior reliability than current blood grouping or HLA [human leukocyte antigen] analyses. The probability of an unrelated individual sharing the same patterns is practically zero. The "DNA fingerprinting" test, developed in England in 1985, refines the favorable statistics to an even greater degree, reducing the probability that two unrelated individuals will have the same DNA fingerprint to one in a quadrillion.*[9]

In 1976, a joint committee of the American Medical Association and the American Bar Association recommended guidelines for paternity blood testing and concluded:

> *It is not the intent to recommend in all medico-legal problems of disputed parentage that the entire set of tests is mandatory. It is often possible to establish exclusion with the basic blood group systems (ABO, Rh, and MNSs). When these basic tests do not allow exclusion, extended testing may be done (using Kell, Duffy, and Kidd*

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[9]Georgeson, Linda McKenzie [Assistant Special Prosecutor/Assistant Corporation Counsel, State of Wisconsin]. *DNA in Paternity Cases*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 568.

systems) to increase the mean probability of exclusion to the 63 to 72 percent level. If no exclusion is found, testing by human leukocyte antigens or electrophoresis should proceed until at least 90 percent, but preferably, 95 to 99 percent, of all wrongly accused men are excluded.[10]

If the putative father is not excluded on the basis of the scientific test results, authorities may still conclude on the basis of witnesses, resemblance, and other evidence that they do not have sufficient evidence to establish paternity and, therefore, will drop charges against him. Tests resulting in nonexclusion also may serve to convince the putative father that he is, in fact, the father. If this occurs, a voluntary admission, where acceptable, leads to a formal court order. When authorities believe there is enough evidence to support the mother's allegation, but the putative father continues to deny the charges, the case proceeds to a formal adjudication of paternity in a court of law.[11] Using the results of the blood test and other evidence, the court may dismiss the case or enter an order of paternity, a prerequisite to obtaining a court order requiring a noncustodial parent to pay support.[12]

There are many reasons to establish paternity. Esther Wattenberg in a 1987 article summarized benefits to the child as potential eligibility for social security benefits, armed services benefits, health care benefits, and worker's compensation benefits; child support payments; use of the father's name; access to genetic information and medical history; and other intangible benefits derived from knowledge of one's biological heritage.[13]

Although the benefits of paternity establishment are varied and numerous, it is generally reported that paternity is established for only about

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[10]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 370-371.

[11]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. National Institute for Child Support Enforcement. *Benefits of Establishing Paternity*, by Laurene T. McKillop, Ph.D. Washington, 1981. p. 22-23.

[12]U.S. General Accounting Office. *Child Support: Need to Improve Efforts to Identify Fathers and Obtain Support Orders*; Report to the Secretary of Health and Human Services. GAO/HRD-87-37, Apr. 1987. Washington, 1987. p. 13. [Hereafter cited as U.S. General Accounting Office, *Child Support*]

[13]Wattenberg, Esther. Establishing Paternity for Nonmarital Children: Do Policy and Practice Discourage Adjudication. *Public Welfare*, summer 1987. p. 10. [Hereafter cited as Wattenberg, Establishing Paternity for Nonmarital Children]

one out of three children born outside of marriage.[14] According to a 1987 GAO study (of 1,578 AFDC children) that examined outcomes for children who needed paternity determinations and/or support orders as of December 1984, the CSE agency failed to determine paternity for approximately 60 percent of the 699 AFDC children with unknown fathers.[15]

The enactment of two recent laws may increase the number of paternity determinations. P.L. 98-378, the Child Support Enforcement Amendments of 1984, requires States to have in effect laws requiring "procedures which permit the establishment of paternity of any child at any time prior to such child's 18th birthday." P.L. 100-485, the Family Support Act of 1988, requires States, beginning on or after October 1, 1991, to meet Federal standards for the percentage of children whose paternity is established. The standard equals the percentage obtained by dividing (a) the number of children in the State who are born outside of marriage, are receiving AFDC benefits or CSE services, and for whom paternity has been established by (b) the number of children born outside of marriage who are receiving AFDC or CSE services. To meet Federal requirements, this "paternity establishment" percentage must (1) be at least 50 percent, (2) be at least equal to the average for all States, or (3) be 3 percentage points higher in FY 1991 than it was in FY 1988, and an additional 3 percentage points higher in each year thereafter. States that are found not in compliance with the requirements are subject to the penalty provision discussed earlier (i.e., reduced Federal AFDC matching funds). Moreover, States are mandated to require all parties in a contested paternity case to take a genetic test upon request of any of the parties. The Federal matching rate for laboratory testing to establish paternity is set at 90 percent. In addition, the new law states that "each State is encouraged to establish and implement a simple civil process for voluntarily acknowledging paternity and a civil procedure for establishing paternity in contested cases." The new law also requires each State generally to require each parent to furnish his or her social security number at the time of the child's birth.

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[14]Data from the National Center for Health Statistics show that in 1987 there were 933,013 babies born to unmarried women. It is not known how many of these children were unacknowledged by their fathers. However, in that same year, the OCSE established paternity for 255,097 children. Thus, the average national ratio of the number of paternities established to the number of births to unmarried women was 27 percent. In 1979, this ratio was 19 percent. This means that during the period 1979-1987 there was a 42 percent increase in the average national ratio of established paternities to "nonmarital" births. Nichols-Casebolt, Ann, and Irwin Garfinkel. *Trends in Paternity Adjudications and Child Support Awards*. IRP Discussion Papers, no. 879-89. University of Wisconsin, Madison, Institute for Research on Poverty, May 1989.

[15]U.S. General Accounting Office, *Child Support*, p. 23.

Establishing Child Support Orders

A child support order legally obligates a noncustodial parent to provide financial support for his or her child and stipulates the amount of the obligation (current weekly obligation plus arrearages, if any) and how it is to be paid.

Many States have statutes that provide that, in the absence of a child support award, the payment of AFDC benefits to the child of a noncustodial parent creates a debt due from the parent or parents in the amount of the AFDC provided. Other States operate under the common law principle, which maintains that a father is obligated to reimburse any person who has provided his child with food, shelter, clothing, medical attention, or education. In most cases, arrearages are reduced to a judgment when the support order is issued. If the CSE client has never received AFDC, the noncustodial parent's support obligation often begins when the child support order is established (however, some judges add an arrearage amount to current support payments). Noncustodial parents generally are required to send their support payments via the CSE agency. By doing so, the agency can monitor the collection and distribution of support payments and thereby keep track of any arrears that accrue. If child support payments are not made through the CSE agency, disputes over arrearages usually must be resolved through the State's judicial or administrative process.[16]

In obtaining a support order, the child support agency first assesses how much the noncustodial parent *can* pay. Generally the assessment is made through contacts with the noncustodial father, the mother, the current or past employer, credit agencies, banks, etc. This assessment can be made by the child support agency, the court, or a third party that has contracted with the child support agency to provide the service. The assessment is a major factor in setting the amount of the legally binding support order.

In theory, States determine a parent's support obligation by balancing three factors: the needs of the children, the financial situation of the custodial parent, and the noncustodial parent's ability to pay. Since 1975, Federal regulations have required States that use an administrative system to have a formula that is used by the CSE agency in determining the amount of the child support obligation when there is no court order covering the obligation.

Various methods have been used to establish the support order and to set the amount and terms of payments. In many jurisdictions, all parties are required to appear in court, even when there is no disagreement about ability to pay. Some jurisdictions use quasi-judicial officers to perform duties that might otherwise be handled by judges. Generally, the court retains final

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[16]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 85-87.

authority to approve or disapprove quasi-judicial decisions. In other jurisdictions support orders are established by a hearings officer completely outside the court system--referred to as an administrative process. Regardless of the process, the result *should* be the same: a legally enforceable agreement that establishes the noncustodial parent's obligation to pay child support.

The Court System. The courts have traditionally played a major role in the CSE program (and in many States still do). Judges have established orders, established paternity, and provided authority for all enforcement activity. The 1984 CSE amendments requiring States to implement expedited processes (administrative or judicial) limit the role of the courts significantly. Most CSE officials view this as an improvement to the CSE program. (See discussion below for arguments relating to an administrative system.)

Administrative Processes. States can establish child support obligations basically in one of two ways, either by judicial or administrative process. CSE literature generally concludes that some of the advantages of a court system are (1) it provides more adequate protection for the legal rights of the noncustodial parent through the use of established legal procedures and (2) it offers a wider range of enforcement remedies, such as civil contempt and possible incarceration. The literature concludes that some of the advantages of an administrative process are (1) it offers quicker service because documents do not have to be filed with the court clerk nor await the signature of the judge, (2) it eliminates "calendaring" problems, i.e., clients do not have to wait weeks for a hearing of their case, (3) it provides a more uniform and consistent obligation amount, and (4) it is less costly because of lack of court costs or attorney fees.

The administrative process may be used to establish the initial support obligation in cases that do not already include court-ordered support, and it may be used to determine the amount of arrears due under an existing judicial order. The first annual report to Congress on the CSE program indicated that in FY 1976 nine States had legal authority to issue an administrative order covering payment of child support.[17] According to CSE materials, the State of Washington was the first State to adopt the administrative process for the CSE system. Michigan was the first State to use a "quasi-judicial" process. Under Michigan's CSE program, "a friend of the court," usually an attorney, is appointed by the Governor to handle many of the duties associated with establishing and enforcing child support obligations. Before States were required to use expedited process (October 1985--discussed later), 31 States used administrative or quasi-administrative procedures (States with court systems but which have a simple "consent" process, or which require no court appearance, or which have court "masters" or "referees";

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[17]These States were Georgia, Hawaii, Kansas, Maine, New Hampshire, South Dakota, Utah, Virginia, and Washington.

quasi-administrative now is usually referred to as quasi-judicial) for establishing child support orders.[18]

Administrative support orders are usually established without the use of the court system and with "reduced" use of attorneys. The State agency obtains jurisdiction over the noncustodial parent by serving a notice of the child support obligation by either personal service of process or by certified mail with return receipt requested. Under existing State statutes, the notice must contain, at a minimum:

- the names of the children for whom support is sought;
- the rights of the absent parent, including the rights to a hearing and representation by an attorney;
- notice that a default order can be entered if the absent parent does not respond to the notice;
- notice that the absent parent must respond within a reasonable period of time specified by the statute;
- notice that the absent parent may appeal an administrative determination to a court of competent jurisdiction;
- an allegation of debt owed to the State for past assistance provided to the parent's dependents (often referred to as "State debt");
- the amount of current support to be paid, based on a formula required by 45 C.F.R. 302.53, or arrears that have accrued under an existing order;
- instructions on how to obtain a negotiation conference; and
- a listing of the various collection actions that may be instituted once the administrative order is entered.[19]

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[18]There were 15 States with administrative processes: Alaska, Georgia, Illinois, Iowa, Kentucky, Maine, Missouri, Montana, New Hampshire, Oklahoma, South Dakota, Utah, Vermont, Virginia, and Washington. There were 16 States with quasi-administrative processes: Arkansas, Connecticut, Florida, Indiana, Maryland, Massachusetts, Michigan, Nebraska, New Hampshire, New York, Ohio, Oregon, Tennessee, Texas, Washington, and Wisconsin.

[19]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 186-187.

After notice in the administrative process, as in a court system when served with a summons, the noncustodial parent has several options:

- He may fail to take any action within the time specified in the notice, in which case he will be in default. The agency then may enter a default administrative order in the amount indicated in the notice.

- He may consent to pay the amount requested in the notice, in which case the agency will enter a "consent" or "stipulated" administrative order consistent with the notice.

- He may request a negotiation conference with the agency at which he will argue for a support amount different from that requested in the notice. If negotiation is successful, the noncustodial parent and the agency will enter into a "consent" or "stipulated" administrative order.

- If the amount of the child support, State debt, or arrears due cannot be agreed on during negotiation, or if the noncustodial parent refuses to negotiate, he may request a hearing by filing a formal request within the time set by statute. If the noncustodial parent does not request a hearing, the agency may enter a default administrative order, based on the obligation indicated in the notice.[20]

When the noncustodial parent makes a timely request for a hearing, the case is scheduled before an administrative hearing officer. The administrative hearing officer is a State employee (usually employed by the CSE agency or the attorney general's office). The hearing officer represents no one, and conducts and controls the hearing as an impartial examiner of the facts. The administrative hearing usually must be a hearing of record. A file is maintained; all pleadings, memoranda, and physical evidence are labeled, and all testimony is recorded. Usually, the hearing is tape-recorded. The record is preserved for a period prescribed by statute or rule, and is transcribed for review if the noncustodial parent appeals the hearing officer's decision.

A CSE worker, sometimes aided by an attorney, represents the agency. The noncustodial parent may represent himself or use an attorney. Since the proceeding does not involve jail as a sanction, the noncustodial parent is not entitled to appointed counsel. In an administrative hearing, as in civil judicial proceedings, the burden of proof generally is on the party that initiates the action (i.e., the State agency). This means that the agency first presents evidence to establish its case, and then the noncustodial parent attempts to counter this evidence. The hearing officer weighs the evidence and rules in favor of the State or the noncustodial parent, depending on whose evidence is more persuasive.

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[20]Ibid., p. 187.

The final order includes pertinent facts of the case (e.g., names, birth dates, employer, and income) and the legal conclusions drawn (e.g., duty of support, amount of the obligation, and arrearage). The order also contains information such as where, how, and when support payments are to be made; the consequences of nonpayment; and notification to the noncustodial parent of his right to, and the method and time limits in applying for, review of the agency's decision. The order may be filed with the court, or it may be maintained internally by the agency, depending on the State statute.

The administrative process statutes of most States contain specific provisions describing the nature of review available and how review must be requested. Most States provide for direct judicial review of the administrative order, although some allow for an intervening internal agency review. Regardless of specific statutory provisions for judicial review, all executive agency decisions that affect an individual's rights or property are subject to judicial scrutiny. If the noncustodial parent requests judicial review, the agency prepares a complete record of the administrative proceedings, including all documents filed and a transcript of all oral testimony. The parties may file briefs and make oral arguments before the court, and the court examines the record and considers legal arguments. The court may affirm the agency's decision, or remand (return) the case to the administrative agency for a new hearing or a new order to be entered in compliance with the court's findings. The court may reverse or modify the agency decision only if substantial rights of the noncustodial parent have been prejudiced during the administrative hearing, or if the administrative decision violates statutory or constitutional provisions, exceeds the agency's statutory authority, or is not supported by substantial evidence.[21]

Expedited Procedures. The 1984 amendments required that States institute an expedited quasi-judicial or administrative process as of October 1985 to increase effectiveness and meet specified processing times in child support cases and, if the State so chose, paternity actions, unless the State could show that its current court system was efficient and no change was warranted. The Federal regulations implementing this law specify limits within which CSE cases must be processed as follows: (1) 90 percent within 3 months, (2) 98 percent within 6 months, and (3) 100 percent within 12 months.

The Federal regulations also contain additional requirements related to the expedited process. Proceedings conducted pursuant to either the expedited judicial or expedited administrative process must be presided over by an

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[21]Ibid., p. 187-189.

individual who is not a judge of the court.[22] Orders established must have the same force and effect under State law as orders established by full judicial process within the State, although either process may provide that a judge first ratify the order. Within these broad limitations, each State is free to design an expedited process that is best suited to its administrative needs and legal traditions.

Cooperative Agreements. Agreements with courts and law enforcement officials to assist in carrying out child support services have existed since 1967.

Section 454(7) of the Social Security Act states that a State Plan for child and spousal support must

> *provide for entering into cooperative arrangements with appropriate courts and law enforcement officials (A) to assist the agency administering the plan, including the entering into of financial arrangements with such courts and officials in order to assure optimum results under such program, and (B) with respect to any other matters of common concern to such courts or officials and the agency administering the plan.*

As defined, cooperative agreements are agreements between State or local CSE agencies and courts or law enforcement officials. The primary objective of these agreements is to ensure that all necessary avenues are available to establish paternity, establish and enforce support obligations, collect support, and to have the cooperation of the required agencies, courts, and officials in carrying out the mission of the CSE program in the most effective and efficient manner.

When properly administered, cooperative agreements can result in the assurance that CSE services are being delivered consistently throughout the jurisdiction. Further, to the advantage of involved courts and law enforcement agencies, cooperative agreements often provide for reimbursement of the bulk of their administrative expenses, as well as additional revenue,

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[22]Ibid., p. 180. An expedited judicial process is a legal process in effect under a State's judicial system that reduces the processing time of establishing and enforcing a support order. To expedite case processing a "judge surrogate" is given authority to (1) take testimony and establish a record, (2) evaluate and make initial decisions, (3) enter default orders if the noncustodial parent does not respond to "notice" or other State "service of process" in a timely manner, (4) accept voluntary acknowledgement of support liability and approve stipulated agreements to pay support, and if the State establishes paternity using the expedited judicial process, authority to accept voluntary acknowledgement of paternity. Judge surrogates often are referred to as court masters, referees, hearing officers, commissioners, or presiding officers.

depending upon the State financial structure and/or other performance incentives built into the contract.[23]

The Support Obligation. In theory, most States determine a parent's child support obligation by taking into account three factors: the needs of the children, the financial situation of the custodial parent, and the noncustodial parent's ability to pay. Before October 1989, the decision as to how much a parent should pay for child support primarily was left to the discretion of the court. Several studies suggest that the child support obligations established in such a manner are inconsistent and generally insufficient to meet the needs of the children.[24]

It is often the case that when a family breaks up, the mother and children will *not* maintain the standard of living that they had when the family was together or that the father achieves after the separation. For example, a 10-year study of divorce in California, published in 1985, concluded that, on average, divorced women and their children experience a 73 percent decline in their standard of living after divorce, while their former husbands experience a 42 percent rise in their standard of living.[25]

In an attempt to increase the use of objective criteria, a provision enacted in 1984 (in P.L. 98-378) required each State to establish, by October 1987, guidelines for determining child support award amounts "by law or by judicial or administrative action"[26] and make the guidelines available "to all judges and

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[23]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Improved Program Performance Through Professionally Managed Cooperative Agreements*. Washington, 1988. p. 3-7.

[24]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Development of Guidelines for Child Support Orders: Advisory Panel Recommendations and Final Report*. Washington, 1987. p. II-4.

[25]Campbell, Nancy Duff, and Ann Kolker. *Child Support Guidelines: Striking the Balance Between Parents, Children and Stepfamilies*. Washington, National Women's Law Center, Sept. 1986. Paper prepared for *Essentials of Child Support Guidelines Development: Economic Issues and Policy Considerations*, Women's Legal Defense Fund's National Conference on the Development of Child Support Guidelines, Sept. 15-17, 1986. Washington, Women's Legal Defense Fund, May 1987. p. 163. [Hereafter cited as Campbell and Kolker, *Child Support Guidelines*]

[26]*Fitzgerald v. Fitzgerald*, No. 87-1259 (D.C. Ct. App. Oct. 10, 1989) In October 1989, the District of Columbia Court of Appeals struck down child support guidelines adopted in October 1987 in response to the Federal requirement. The court held that the Superior Court Committee that drafted the guidelines lacked authority to do so. It did not rule on the fairness of the guidelines, which awarded children a fixed fraction of the gross income of the noncustodial parent.

other officials who have the power to determine child support awards within the State." Federal regulations made the provision more specific: the guidelines must be based on specific descriptive and numeric criteria and result in a computation of the support obligation. The 1984 provision did not make the guidelines binding on judges and other officials who had the authority to establish child support obligations. However, a provision enacted in 1988 (P.L. 100-485) requires that there shall be a "rebuttable presumption," in any judicial or administrative proceeding for the award of child support, that the amount of the order which would result from the application of the State-established guidelines is the correct amount of child support to be awarded. Even though State-established guidelines result in consistent awards *within* a State, they cannot assure consistency across States, and custodial and noncustodial parents often live in different States.

Some researchers conclude that there are basically four approaches to allocating economic responsibility for children between two parents who no longer live together: the cost sharing approach; the income shares approach; the income equalization approach; and the Wisconsin percentage approach.[27]

The cost sharing approach assumes that parents should share the costs of raising a child in proportion to their relative abilities to contribute. It also assumes that each parent has an income. The Delaware Melson formula is considered a hybrid cost sharing/income shares approach.[28] The income shares approach tries to ensure that the children of divorced parents suffer the least economic hardship possible (the least possible decline in standard of living). In other words, it tries to ensure that the child receives the same proportion of parental income that he would have received if the parents lived together. The income shares model was developed by the child support guidelines advisory panel staff, which was established by the OCSE in 1984 at the request of the House Committee on Ways and Means. Some of the States that use the income shares approach are Colorado, Maine, Michigan (in a modified form), Nebraska, New Jersey, and Vermont. The Washington State Uniform Child Support Guidelines are considered by some to be a form of the income shares approach. The income equalization approach is based on the premise that award levels should ensure for the children of noncustodial parents the same standard of living that the noncustodial parent achieves. The income equalization approach was developed by Dr. Judith Cassetty of the Texas Attorney General's Office. The Wisconsin Percentage of Income Standard approach is based on the noncustodial parent's gross income and the number of children to be supported (the child support obligation is not

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[27]Cassetty, Judith, and Frank Douthitt. *The Economics of Setting Adequate and Equitable Child Support Payment Awards*. p. 9-13.

[28]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Development of Guidelines for Child Support Orders*. Washington, 1987. p. II-65.

adjusted for the income of the custodial parent). As one might expect, award amounts differ significantly depending on the approach used.

Enforcement of Medical Support. Health care for children can be a major expense for the custodial parent, and can be a burden for the State if public assistance is being provided to the children. P.L. 95-142, the Medicare-Medicaid Anti-Fraud and Abuse Amendments of 1977 (Section 1912 of the Social Security Act), permits State Medicaid agencies to use the CSE agency to assist in the enforcement of medical support rights due from or through a noncustodial parent, since it was not intended that the Medicaid agency establish a separate system for the enforcement of medical support obligations. On February 11, 1980, the OCSE and the Health Care Financing Administration (HCFA) published joint regulations to implement section 1912 of the Act through optional cooperative agreements between the State Medicaid agency and the State CSE agency. Under these agreements the Medicaid agency reimburses the CSE agency for medical support enforcement activities performed pursuant to the agreement. In 33 States the Federal Medicaid reimbursement rate is lower than the 66 percent matching rate for CSE activities (applicable to FY 1990 and years thereafter), and nationwide it averages about 56 percent.

Section 16 of P.L. 98-378 requires the Secretary of the Department of Health and Human Services (DHHS) to issue regulations to require that State CSE agencies petition for the inclusion of medical support as part of any child support order whenever health care coverage is available to the noncustodial parent at reasonable cost. According to the Federal regulations, any employment-related or other group coverage is considered "reasonable," under the assumption that health insurance is inexpensive to the employee/noncustodial parent. A 1983 study by the National Center for Health Services Research of the Public Health Service indicated that, for low-wage employees with employer-provided insurance coverage, 72 percent of the premium was paid for by the employer.

On October 16, 1985, the OCSE published regulations amending previous regulations and implementing section 16 of P.L. 98-378. The regulations stated that the CSE agency must obtain basic medical support information and provide this information to the State Medicaid agency. Also, if the custodial parent does not have satisfactory health insurance coverage, the CSE agency must petition the court or administrative authority to include medical support in new or modified support orders and inform the State Medicaid agency of any new or modified support orders that include a medical support obligation. The 1985 regulations also required the CSE agency to take steps to enforce medical support that has been ordered by a court or administrative process under State law. In addition, these regulations permit the use of CSE matching funds at the 66 percent rate for required medical support activities. Before these regulations were issued, medical support activities were pursued by CSE agencies only under optional cooperative agreements with Medicaid agencies. Some of the functions that the CSE agency may perform under a cooperative agreement with the Medicaid agency include: receiving referrals

from the Medicaid agency, locating absent parents, establishing paternity, determining whether the noncustodial parent has a health insurance policy or plan that covers the child, obtaining sufficient information about the health insurance policy or plan to permit the filing of a claim with the insurer, filing a claim with the insurer or transmitting the necessary information to the Medicaid agency, securing health insurance coverage through court or administrative order (when it will not reduce the noncustodial parent's ability to pay child support), and recovering amounts necessary to reimburse medical assistance payments.

A report by the Urban Institute stated that although the practice of including medical coverage provisions in child support orders had increased, the priority and emphasis given such provision was still quite "low" (as of September 1985). It reported that child support staff were reluctant to go to court just for medical support, and that many judges would not order medical support if it might cause a reduction in cash support payments. The report also said that enforcing medical coverage provisions once they are established is very difficult, and that it requires the agency to monitor continuation of coverage and to act to restore coverage when it lapses.[29]

The Urban Institute study reported that in 1983, 4.6 million children with an absent parent were without public (Medicaid) or private health insurance. This represented 34 percent of all children with an absent parent. Another 4.9 million children with an absent parent were covered solely by Medicaid. The study estimated that including medical coverage in child support orders in 1984 might have benefited 1,353,000 totally uninsured children (those without Medicaid or private insurance) and perhaps another 300,000 to 466,000 children covered only by Medicaid at that time.[30]

According to the Census Bureau data on child support and alimony, 44 percent of the 5.4 million women who were awarded child support in 1985 received health insurance coverage in their awards. For white women, the figure was 48 percent; for black women, 25.5 percent; and for women of hispanic origin, 25 percent. For divorced women, the figure was 50 percent and for women who had never married, the figure was 24 percent. Of the 1.1 million *poor* women with child support awards, 37 percent were awarded health insurance along with the cash support.[31] (See table 3.)

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[29]Nightingale, Demetra Smith, and others. *The Inclusion of Medical Coverage in Child Support Cases: Current Status and Options for the Future.* Draft. Washington, Urban Institute, May 1986. p. vi. [Hereafter cited as Urban Institute, *The Inclusion of Medical Coverage in Child Support Cases*]

[30]Ibid., p. 24-25.

[31]U.S. Bureau of the Census. *Current Population Reports. Child Support and Alimony: 1985* (Supplemental Report). Series P-23, No. 154, Mar. 1989. Washington, U.S. Govt. Print. Off., 1989. p. 9, 26-29.

On September 16, 1988, the OCSE issued regulations amending the medical support enforcement provisions. These regulations require the CSE agency to develop criteria to identify existing child support cases that have a high potential for obtaining medical support, and to petition the court or administrative authority to modify support orders to include medical support for targeted cases even if no other modification is anticipated. In addition, the CSE agency is required to provide the custodial parent with information regarding the health insurance coverage obtained by the noncustodial parent for the dependent child or children. Moreover, the 1988 regulation deletes the condition that CSE agencies may secure health insurance coverage under a cooperative agreement only when it will not reduce the noncustodial parent's ability to pay child support. The purpose of the medical support provisions is to expand the number of children for whom private health insurance coverage is obtained by increasing the availability of third-party resources to pay for medical care and thereby result in Medicaid cost savings to the States and the Federal Government. The Urban Institute report, however, concluded that while there is no doubt that many children could benefit from inclusion of medical insurance, especially those who currently have no public or private health care coverage, Medicaid savings would be relatively modest compared to total annual Medicaid costs.[32]

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[32]Urban Institute, *The Inclusion of Medical Coverage in Child Support Cases*, p. vi.

Table 3. **Child Support Award Status and Inclusion of Health Insurance in Award, by Selected Characteristics of Women**

(Women with own children under 21 years of age present from absent fathers as of spring 1986)

Characteristic	Total (thous.)	Awarded child support payments		
		Total (thous.)	Health insurance included in child support award	
			Number (thous.)	Percent of total awarded
Total	8,808	5,396	2,402	44.5
CURRENT MARITAL STATUS[1]				
Married[2]	2,322	1,904	818	43.0
Divorced	3,045	2,492	1,255	50.4
Separated	1,363	587	224	38.2
Never married	2,009	370	90	24.3
RACE AND HISPANIC ORIGIN				
White	6,341	4,476	2,167	48.4
Black	2,310	839	214	25.5
Hispanic[3]	813	342	86	25.1
AGE				
18 to 29 years	2,887	1,266	501	39.9
30 to 39 years	3,614	2,547	1,142	44.8
40 years and over	2,307	1,561	758	48.6
YEARS OF SCHOOL COMPLETED				
Less than 12 years	2,230	1,009	343	34.0
High school: 4 years	4,176	2,645	1,207	45.6
College: 1 to 3 years	1,653	1,169	539	46.1
4 years or more	748	573	312	54.5
NUMBER OF OWN CHILDREN PRESENT FROM AN ABSENT FATHER				
One child	4,607	2,783	1,161	41.7
Two children	2,879	1,953	935	47.9
Three children	867	502	224	44.8
Four children or more	456	159	81	50.9

[1]Excludes a small number of currently widowed women whose previous marriage ended in divorce.
[2]Remarried women whose previous marriage ended in divorce.
[3]Persons of Hispanic origin may be of any race.

Source: U.S. Bureau of the Census. Current Population Reports. Child Support and Alimony: 1985 (Supplemental Report). Series P-23, No. 154, Mar. 1989. Washington, U.S. Govt. Print. Off., 1989. p. 9.

Modifications. Without periodic modifications, child support obligations can often become inadequate and inequitable. In States using the judicial system for child support adjudication, courts maintain continuing jurisdiction over child support obligations, and therefore have the legal authority to alter their amounts at any time until the child is no longer a minor (because the court is mandated to act in the best interest of the child).[33] Generally, States have provided that the only way to modify a child support order is to require a party to petition the court for a modification based on a "change of circumstances." What constitutes a change in circumstances sufficient to modify the order depends on the State and the court. The person requesting modification is responsible for filing the motion, serving notice, hiring a lawyer, and proving a change in circumstances of sufficient magnitude to satisfy statutory standards. The modification proceeding is a two-step process. First the court determines whether a modification is appropriate. Next, the amount of the new obligation is determined.

One concern with regard to modifications is the extent to which the court may treat the passage of time, in itself, as producing a change in circumstances. In Alaska, the courts have held that the effects of inflation and increased needs of the child as he grows older justify an upward modification. Colorado, however, has held that, although inflation is a factor properly to be considered in the modification of an order, the specific effects of inflation on the needs of the child must be shown. In Texas, the increased age of the child is not, in itself, sufficient to justify modification.[34]

Another issue that may arise in the near future relates to whether increased work by custodial parents will be considered a change in circumstance sufficient to modify the support order. The Congressional Budget Office (CBO) has estimated that the number of *additional* AFDC participants in work-related programs, above those participating before commencement of the Job Opportunities and Basic Skills (JOBS) program (enacted by P.L. 100-485, the Family Support Act of 1988), would rise from 15,000 in 1989 to 800,000 in 1995.[35] The 1988 law may result in an increase in the numbers of noncustodial parents who petition the court to modify (decrease) their child support orders (because the child's mother gets a job and thereby has additional income available for the family's support).

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[33]Williams, Robert G. *Modification of Child Support Orders: Discussion Paper*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 525.

[34]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 93.

[35]U.S. Congressional Budget Office. *Work and Welfare: The Family Support Act of 1988*. Staff Working Papers. Washington, Jan. 1987. p. 7.

However, the overriding concern with regard to modifications is that in no State are child support obligations systematically reviewed and updated by the courts. As discussed earlier, the Child Support Enforcement Amendments of 1984, P.L. 98-378, required States to establish child support award guidelines. Guidelines are currently in effect in all of the States (see footnote 26 relating to the District of Columbia--*Fitzgerald v. Fitzgerald*). These amendments, however, did not address the issue of how the guidelines should apply to modifications. The Family Support Act of 1988 requires States to develop and implement processes for routine updating of CSE orders. When an initial child support amount is established under guidelines, it generally is logical and consistent to apply the guidelines to later modification. However, when newly adopted guidelines are used to modify old orders, many noncustodial parents may have to pay substantially higher child support. (Also, for some income levels, guidelines can result in lower awards.) Some noncustodial parents who decided to start second families, cognizant of their responsibilities to their first children, argue that it is unfair for States to use new State-established guidelines to update or revise their preexisting award obligations.[36]

Retroactive Modification. Section 9103 of P.L. 99-509 (section 466(a)(9) of the Social Security Act) was enacted to change State practices involving modification of child support arrears. Before this 1986 provision, 18 States permitted child support orders to be modified retrospectively.

> *The vast majority of such retroactive modifications when they occurred had the effect of reducing the amount of child support ordered. Thus, for example, an order for $200 a month for child support, which was unpaid for 36 months, should accumulate an arrearage of $7,200. Yet, if the obligor was brought to court, having made no prior attempt to modify the order, the order might be reduced to $100 a month retroactive to 36 months prior to the date of modification. This has the effect of reducing the arrearage from $7,200 to $3,600. The order could be reduced without placing any diligence requirement on the absent parent to petition in a timely manner to reduce the order, if for some reason his or her ability to comply with the order had changed.*[37]

The 1986 provision requires States to have in effect and use procedures which provide that any payment of child support, on and after the date due,

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[36]Malone, Thomas P. *Modification Lives: Guidelines Don't Mean an End to Changing Circumstances*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 31-32.

[37]*Federal Register*, v. 54, no. 74, Apr. 19, 1989. p. 15758.

is a judgment,[38] by operation of law. This means that a child support obligation becomes a judgment whenever a payment is due (and not paid). The provision further requires that the judgment be entitled to full faith and credit in the originating State and in any other State. Full faith and credit is a constitutional principle that the various States must recognize the judgments of other States within the United States and accord them the force and effect they would have in their home State. The provision also states that the judgment is not subject to retroactive modification, except in the circumstance described below. The purpose of this section of the provision is to prohibit courts or administrative entities from forgiving or reducing arrearages. The 1986 law permits a court or administrative entity to modify retroactively a child support order (1) for a period during which there is pending a petition for modification and (2) only from the date that notice of the petition has been given to the custodial or noncustodial parent, depending on which is the petitioner.

Collection of Support

The CSE agency has the responsibility to seek voluntary compliance with the support order. When voluntary payments cease or become irregular, a number of collection methods are used. Further, the 1984 CSE amendments require that CSE services must include the enforcement of spousal support, but only if a support obligation has been established with respect to the spouse, the child and the spouse are living in the same household, and child support is being collected along with spousal support. In addition, under the 1984 law, CSE agencies are required to collect child support payments on behalf of children receiving foster care payments (under title IV-E of the Social Security Act), if an assignment of rights to support has been obtained by the foster care agency. Moreover, foster care agencies are required to take steps, where appropriate, to secure an assignment to the State of any rights to support on behalf of a child receiving foster care payments.

Since the beginning of the CSE program there has been a marked difference in the level of success of the programs operated by various States. Over the years certain child support collection methods have been shown to increase the effectiveness of the CSE program. P.L. 98-378 required all States to adopt laws to implement these "proven" procedures.

Beginning in FY 1986, all States were mandated to have laws in effect that make available the following procedures for cases administered by the federally aided CSE program:

- Requiring wage withholding for all families (AFDC and non-AFDC) receiving child support enforcement services if support payments are

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[38]A judgment is defined as the official decision or finding of a court on the respective rights and claims of the parties to an action.

delinquent in an amount equal to 1 month's support (States must also allow noncustodial parents to request withholding at an earlier date);

- Imposing liens against real and personal property for amounts of overdue support;
- Withholding of State tax refunds payable to a parent of a child receiving child support services, if the parent is delinquent in making payments.
- Making available information regarding the amount of overdue support owed by a noncustodial parent to any consumer credit bureau, upon request of such organization;
- Requiring individuals who have demonstrated a pattern of delinquent payments to post a bond, or give some other guarantee to secure payment of overdue support;
- Establishing expedited processes within the State judicial system or under administrative processes for obtaining and enforcing child support orders, and, at the option of the State, for determining paternity;
- Notifying each AFDC recipient at least once each year of the amount of child support collected on behalf of that recipient; and
- Permitting the establishment of paternity until a child's 18th birthday.

In addition to requiring the States to adopt new tools, the law also requires the IRS to withhold Federal tax refunds that are due an individual who is delinquent in making child support payments on behalf of a non-AFDC child, beginning with refunds payable in 1986. Previously such withholding occurred only with respect to overdue support for AFDC children.[39]

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[39]U.S. Library of Congress. Congressional Research Service. *The Child Support Enforcement Amendments of 1984*. Report No. 84-796 EPW, by Margaret Malone. Washington, 1984. p. 6-7. [Hereafter cited as Congressional Research Service, *The Child Support Enforcement Amendments of 1984*]

Wage Withholding.[40] P.L. 98-378 requires that States have in effect two distinct procedures for withholding wages of noncustodial parents.[41] First, for cases enforced through the CSE agency, States must have and use a procedure that requires wage withholding to be triggered in child support cases whenever an arrearage accrues that is equal to the amount of support payable for 1 month. Second, for all child support cases, all new or modified support orders issued in the State must include a provision for wage withholding when an arrearage occurs. The intent of the second procedure is to ensure that orders not enforced through the CSE agency contain authority necessary to permit wage withholding to be initiated by someone other than the CSE agency. (Note: as described later, P.L. 100-485 extends the use of mandatory wage withholding to *nondelinquent* support.)

In FY 1988, 37 percent of non-AFDC collections and 35 percent of AFDC collections were made through wage withholding.

According to the Federal statute, State due-process requirements govern the scope of notice to be provided to an obligor (i.e., noncustodial parent) when withholding is triggered. As a general rule, the noncustodial parent is entitled to advance notice of the alleged delinquency and the withholding procedure. This notice, where required, must inform the noncustodial parent of the following:

- the amount of overdue support owed;
- the amount that will be withheld;
- the application of withholding to any current or subsequent period of employment;
- the procedures available for contesting the withholding and the sole basis for objection (i.e., mistake of fact);
- the period allotted the noncustodial parent to contact the State to contest the withholding and the result of failure to contact the State within this time frame (i.e., issuance of notification to the employer to begin withholding);

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[40]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. Child Support Technology Transfer Project. *Implementing Mandatory Income Withholding*. Monograph [by] Deborah Dale Brackney and Marianne Clifford Upton. Washington, July 1988. p. 1-5.

[41]Federal regulations permit States to extend their system of withholding to include withholding from forms of income other than wages. In this report wage withholding and income withholding are interchangeable.

- the steps the State will take if the noncustodial parent contests the withholding, including the procedure to resolve such contests.

If the noncustodial parent contests the income withholding notice, the State must conduct a hearing, determine if the withholding is valid, notify the noncustodial parent of the decision, and notify the employer to commence the deductions if withholding is upheld. All of this must occur within 45 days of the initial notice of withholding. Whether a State uses a judicial or an administrative process, the only basis for a hearing is a factual mistake about the amount owed (current and/or arrearage) or the identity of the noncustodial parent.

When withholding is uncontested or when a contested case is resolved in favor of withholding, the administering agency must serve a withholding notice on the employer. The employer is required to withhold as much of the noncustodial parent's wages as is necessary to comply with the order. This will include the current support amount plus an amount to be applied toward liquidation of any arrearage. In addition, the employer may retain a fee to offset the administrative cost of implementing withholding.

The Federal Consumer Credit Protection Act (FCCPA) determines the maximum portion of an individual's total disposable earnings that is subject to "garnishment." The FCCPA limits apply when enforcing an order for support. These limits are 50 percent of disposable earnings for a noncustodial parent who is the head of a household, and 60 percent for a noncustodial parent who is not supporting a second family. These percentages increase by 5 percentage points, to 55 and 65 percent, respectively, when the arrearages represent support that was due more than 12 weeks before the current pay period.

Upon receiving the notice, the employer must begin withholding the appropriate amount of the obligor's wages no later than the first pay period that occurs after 14 days following the date the notice was mailed. The 1984 amendments regulate the language in State statutes on the other rights and liabilities of the employer. For instance, the employer is subject to a fine for discharging a noncustodial parent or taking other forms of retaliation as a result of a withholding order. In addition, the employer is held liable for amounts not withheld as directed.

In addition to being able to charge the noncustodial parent a fee for the administrative costs associated with wage withholding, the employer can combine all support payments required to be withheld for multiple obligors into a single payment and forward it to the CSE agency or court with a list of the cases to which the payments apply. The employer need not vary from his normal pay and disbursement cycle to comply with withholding orders; however, support payments must be forwarded to the State or other designated agency within 10 days of the date on which the noncustodial parent is paid.

When the noncustodial parent changes jobs, the previous employer must notify the court or agency that entered the withholding order and provide specified information. The State must notify the new employer or income source to begin withholding from the obligor's wages.

In addition, States must develop procedures to terminate income withholding orders, for example, when all of the children are emancipated and no arrearage exists.

The Family Support Act requires immediate income withholding to begin in 1990 for all new or modified orders being enforced by the State's CSE agency and in 1991 for all persons in the CSE system. In his testimony before the Senate, welfare reform sponsor Daniel P. Moynihan stated:

> *Just as we withhold federal and state income taxes and social security payroll taxes, we will now withhold parental support obligations. Automatic wage withholding will help prevent many single-parent families from becoming public assistance recipients, as well as reduce welfare payments to others.*[42]

As of December 1988, immediate income withholding had been enacted by 12 States.[43]

Property Liens.[44] The use of liens for child support enforcement was characterized during congressional debate on P.L. 98-378 as "simple to execute and cost effective . . . and a catalyst for an absent parent to pay past due support in order to clear title to the property in question." (H. Rept. 527, 98th Cong., 1st sess., 1983) The report said that liens would complement the income withholding provisions of the 1984 law and be particularly helpful in enforcing support payments owed by noncustodial parents with substantial assets or income but who are not salaried employees.

P.L. 98-378 required States to enact laws and implement "procedures under which liens are imposed against real property for amount of overdue support owed by an absent parent who resides or owns property in the State." This can apply to such things as land, vehicles, houses, antique furniture,

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[42]Chazdon, Scott. *Implementing Immediate Income Withholding: The Experience of the States.* National Conference of State Legislators, Dec. 1988. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 622.

[43]Ibid., p. 628. The 12 States are Arizona, California, Florida, Hawaii, Illinois, Kentucky, Massachusetts, Minnesota, Ohio, Texas, Virginia, and Wisconsin.

[44]Property Liens--An Underutilized Collection Technique. *Child Support Notes*, issue no. 8, July 1988.

livestock, etc. The law provides, however, that States need not use liens in cases where, on the basis of guidelines that generally are available to the public, it determines that lien procedures would be inappropriate. This provision implicitly requires States to develop guidelines about use of liens.

Generally, a lien for delinquent child support is a statutorily created mechanism by which an obligee (i.e., custodial parent) obtains a "nonpossessory" interest in property belonging to the noncustodial parent. The interest of the custodial parent is a "slumbering" interest that allows the noncustodial parent to retain possession of the property, but affects the noncustodial parent's ability to transfer ownership of the property to anyone else. A child support lien converts the custodial parent from an unsecured to a secured creditor. As such, it gives the custodial parent priority over unsecured creditors and subsequent secured creditors. In some States a lien is established automatically upon entry of a support order and the first incidence of noncompliance by the obligor. Frequently, the mere imposition of a lien will motivate the delinquent parent to do whatever is necessary to remove the lien (i.e., pay past due support). When this is not the case, it may become necessary to "enforce" the lien. Liens are not self-executory. They merely impede the debtor's ability to transfer property. If a lien exists, a debtor must satisfy the judgment before the property may be sold or transferred. However, it is not necessary for the obligee to wait until the obligor tries to transfer the property before taking action. The obligee may enforce his judgment by "execution and levy" against the property if he believes that the amount of equity in the property justifies "execution."

Several States have increased their use of liens by identifying individuals who possess appropriate assets through use of information obtained from Project 1099.[45] Other States are exploring ways to increase use of liens.

Bonds, Securities, and Other Guarantees. P.L. 98-378 requires States to have in effect and use procedures under which noncustodial parents must post security, bond, or give some other guarantee to secure payment of overdue child support. This technique could prove useful where significant assets exist although the noncustodial parent's income is sporadic, seasonal, or is derived from self-employment not accessible to more traditional

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[45]Project 1099 is cooperative effort involving State CSE agencies, the OCSE, and the IRS. It is named after the IRS form on which both earned and unearned income is reported. (Examples of reported earned and unearned income include: interest paid on savings accounts, stocks and bonds, and distribution of dividends and capital gains; rent or royalty payments; prizes, awards, or winnings; fees paid directors or subcontractors; and unemployment compensation.) Project 1099 was initiated in 1984 to assist in location efforts. Since fall 1988, project 1099 routinely provides wage and employer information as well as location and asset information on noncustodial parents. U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Child Support Report*, v. XI, no. 4, Apr. 1989.

enforcement methods. As in the case of liens, this procedure need not be used in cases found inappropriate under State guidelines. The State guidelines should be able to reasonably define and target assets that can appropriately be sought to secure or guarantee payment (but not hinder or prevent the noncustodial parent from effectively pursuing his livelihood).

Federal Income Tax Refund Offset. P.L. 97-35, enacted in 1981, established the Federal tax refund offset program for AFDC recipients receiving child support enforcement services. In 1984 the program was extended to non-AFDC families receiving CSE services, for the period 1986-1990, and to AFDC foster care families. To reiterate, only cases in which the State is enforcing a support obligation under the CSE program can be submitted for tax offset.

A non-AFDC custodial parent must first apply for CSE services and pay the application fee (if required). The child support agency has discretion to determine whether or not the tax refund offset is the appropriate enforcement tool. Non-AFDC families may be charged a fee (in addition to the application fee), not to exceed $25, for use of the offset service.

States must certify that cases meet the following criteria to qualify for the Federal tax refund offset program:

AFDC and AFDC Foster Care Cases

- The support obligation must have been established under a court order or an order of an administrative process established under State law, and must have been assigned to the State on the basis of AFDC eligibility or foster care eligibility. In interstate cases, the request may be made only by a State that has taken an assignment under the AFDC or foster care rules.

- The amount of past-due support must be at least $150.

- The amount owed must have been delinquent for 3 months or longer.

- The delinquency is for support and maintenance of a child, or of a child and the parent with whom the child is living.

- The State CSE agency has verified the accuracy of the arrears, has a copy of the order and any modifications and has a copy of the payment record or an affidavit signed by the custodial parent attesting to the amount of support owed.

- The State CSE agency has verified the accuracy of the noncustodial parent's name and social security number.

Non-AFDC Cases

- The support obligation must have been established under a court order or an order of an administrative process established under State law, and the State CSE agency must be enforcing the order on the basis of an application.

- The amount of past-due support must be at least $500.

- At State option, amounts certified in non-AFDC cases may be limited to past-due support which accrued since the State CSE agency began to enforce the support order.

- The support must be owed to or on behalf of a minor child. This means that non-AFDC referrals on behalf of an individual who is no longer a minor even if the arrearage accrued while the person was a minor child may *not* be submitted for offset. In other words, the child must be a minor as of December 31 of the year in which that case is submitted to the OCSE for offset. In addition, spousal support may *not* be submitted in non-AFDC cases.

- The State has verified the accuracy of the arrears, has a copy of the order and any modifications, and has a copy of the payment record or an affidavit signed by the custodial parent attesting to the amount of support owed.

- The State has checked its records to see if there are AFDC or foster care arrearages (if there are, the refund is sent to the State welfare agency rather than the non-AFDC family).

- The State CSE agency has verified the accuracy of the noncustodial parent's name and social security number.

- The State CSE agency must have the custodial parent's current address.

Past-due support may not include fees or court costs or any other non-child support debts owed to the State or to the family. Interest may be included in the amount certified for offset only if it is considered support under State law. Certifications for offset in AFDC and foster care cases may include an amount for support and maintenance of a child, or of a child and the parent with whom he is living.

The Federal income tax refund offset program collected $168.1 million in FY 1982, its first year of operation. By FY 1988, collections had increased 139 percent, to $401.5 million.[46]

State Income Tax Refund Offset. P.L. 98-378 mandates that States establish procedures necessary to increase the effectiveness of the CSE program. Among these procedures is the interception of State income tax refunds payable to noncustodial parents up to the amount of overdue support. (As in the case of liens and bonds, this procedure need not be used in cases found inappropriate under State guidelines.)

The State tax intercept program allows a State to collect overdue child support payments by intercepting State tax refunds due a noncustodial parent. The State tax refund is applied to a support arrearage to reduce or eliminate through an "offset" the debt of an obligor that is owed either to the State, as in an AFDC case, or to the custodial parent, as in a non-AFDC case.

In order for the State tax refund offset program to work effectively, cooperation between the State's department of revenue and the CSE agency is crucial. The names and social security numbers of noncustodial parents who are delinquent in making support payments are submitted to the department of revenue for matching of names and social security numbers on taxpayers' tax return forms. If a match occurs and a refund is due, the refund or a portion of it is transferred from the State department of revenue to the CSE agency and then credited to the appropriate noncustodial parent to offset his support debt. The CSE agency must give advance notice to the noncustodial parent that it intends to refer his case for State tax refund or property tax refund offset. The noncustodial parent also must be informed of the process for contesting and resolving the proposed action. If no response is received by the CSE agency within a specified period, the money is intercepted and forwarded to the CSE agency.

In FY 1988, the State tax intercept program collected $47.1 million on behalf of AFDC/foster care families and $17.1 million on behalf of non-AFDC families. Unlike the Federal program, which requires that States certify a specified amount before the offset can be applied ($150 for AFDC families and $500 for non-AFDC families), States choose their own level for certification. In many States it is the same for both AFDC and non-AFDC families (e.g., in California, the amount is $100 for both groups).

Unemployment Compensation Intercept. P.L. 97-35, the Omnibus Budget Reconciliation Act of 1981, requires CSE agencies to determine on a

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[46]The OCSE 13th annual report provides inconsistent data about collections of child support by the Federal income tax refund offset program. In the table comparing methods of collections, the offset collection is shown as $369.9 million. In the table showing offset collections for FY 1984-1988, the amount shown for FY 1988 is $401.5 million.

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periodic basis whether individuals receiving unemployment compensation owe support obligations that are not being met. It further requires CSE agencies to enforce unmet support obligations in accordance with State-developed guidelines for obtaining an agreement with the individual to have a specified amount of support withheld from unemployment compensation otherwise due him or, in the absence of an agreement, by bringing legal proceedings to require the withholding. The CSE agency must reimburse the State employment security agency for the administrative costs attributable to enforcing support obligations by withholding unemployment compensation.

The unemployment compensation intercept program collected $42.3 million in FY 1988. A number of States, especially those with high levels of unemployment (but where the noncustodial parent has had some attachment to the labor force) are finding that the unemployment offset procedure often can raise collections significantly.

Credit Bureau Reporting. P.L. 98-378 requires that States establish procedures for reporting overdue child support obligations exceeding $1,000 to consumer reporting agencies (generally referred to as credit bureaus), if such information is requested by the credit bureau. States have the option of using such procedures in cases where the noncustodial parent is less than $1,000 in arrears. (Moreover, as in the case of liens, this collection procedure need not be used in cases found inappropriate under State guidelines.) The 1984 law requires States to provide the noncustodial parent an advance notice of its intent to release information regarding his child support arrearage and an opportunity for him to contest the accuracy of the information. The CSE agency may charge the credit bureau a fee for the information.

Although some States and counties had agreements in place with credit bureaus to obtain information about the location of absent parents, the 1984 provision authorizes the routine transfer of information concerning overdue child support to credit bureaus on a much broader basis. Moreover, it is in the interest of credit bureaus to request such information because overdue child support adversely affects an obligated parent's ability to pay other debts.

Federal Garnishment. The 1975 CSE legislation included a provision allowing garnishment of wages and other payments by the Federal Government for enforcement of child support and alimony obligations. The 1975 law provides that moneys (the entitlement to which is based upon remuneration for employment) payable by the United States to any individual are subject to legal proceedings brought for the enforcement against such individual of his legal obligation to provide child support or make alimony payments. The law sets forth in detail the procedures that must be followed for service of legal process and specifies that the term "based upon remuneration for employment" includes wages, periodic benefits for the payment of pensions, retirement or retired pay (including social security and other retirement benefits), and other kinds of Federal payments. The following Federal income sources may *not* be garnished: any payment as compensation for death under any Federal program, Federal black lung

benefits, veterans' pensions or compensation benefits for a service-related disability or death, and amounts paid to defray employment-related expenses.

Military Allotments. P.L. 97-248, the Tax Equity and Fiscal Responsibility Act of 1982, requires allotments from the pay and allowances of any member of the uniformed service (on active duty) when he fails to make child (or child and spousal) support payments. The requirement arises when the service member fails to make support payments in an amount at least equal to the value of 2 months' worth of support. Provisions of the Federal Consumer Credit Protection Act apply, limiting the percentage of the member's pay that is subject to allotment. The amount of the allotment is the amount of the support payment, as established under a legally enforceable administrative or judicial order.

Interstate Enforcement. State laws require parents to be responsible for the financial support of their children. During the 1930s and 1940s, such laws were used to establish and enforce support obligations when the noncustodial parent, custodial parent, and child lived in the same State. But when noncustodial parents lived out of State, enforcing child support was cumbersome and ineffective. Often the only option in these cases was to seek to extradite the noncustodial parent and, when successful, to jail the person for nonsupport. Extradition is the process used to bring an obligor charged with or convicted of a crime (in this case, criminal nonsupport) from an asylum State back to the State where the children are located. This procedure, rarely used, generally punished the irresponsible parent, but left the abandoned family without financial support.[47]

A University of Michigan study of separated parents nationwide found that 12 percent lived in different States 1 year after divorce or separation. That proportion increased to 25 percent 3 years after, and to 40 percent 8 years after. Estimates based on the Federal income tax refund offset program and other sources suggest that approximately 30 percent of child support cases involve interstate residency of the custodial and noncustodial parents.[48]

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[47]U.S. General Accounting Office. *Interstate Child Support: Case Data Limitations, Enforcement Problems, Views on Improvements Needed*; Report to Congressional Requesters. GAO/HRD-89-25, Jan. 1989. Washington, 1989. p. 8. [Hereafter cited as U.S. General Accounting Office, *Interstate Child Support: Case Data Limitations, Enforcement Problems, Views on Improvements Needed*]

[48]Weaver, Ray L., and Robert G. Williams. *Problems With URESA: Interstate Child Support Enforcement Isn't Working But Could*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 510. [Hereafter cited as Weaver and Williams, *Problems With URESA*]

(a) Uniform Reciprocal Enforcement of Support Act (URESA)

Since 1950, interstate cooperation has been promoted through the adoption by the States of URESA. This Act, which was first proposed by the National Conference of Commissioners on Uniform State Laws in 1950, has been enacted, in substance, in all 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. The Act was amended in 1952 and 1958 and revised in 1968.

In his article, "The Uniform Reciprocal Enforcement of Support Act," William F. Fox explained,

> *URESA was a recognition by the States that problems of child and spouse support were no longer of purely local concern. Conventional judicial proceedings were simply unsuitable for effective enforcement of support orders because the absent spouse was normally outside the jurisdiction of the dependents' State courts, because the stay-at-home spouse could rarely afford to track down and sue the absent spouse in another jurisdiction, and because the Federal courts have traditionally been closed to domestic relations actions.*[49]

According to William Frederick in the forward to the book entitled, *Interstate Enforcement of Family Support (The Runaway Pappy Act)*:

> *Theoretically, the criminal extradition statutes could be used to return an individual who had deserted his family to his former state because his desertion and failure to support was a crime there. As a practical matter, however, extradition was not a feasible remedy in most instances. It was complicated, costly and slow. Furthermore, the return of an individual from a place in which he was employed to a place in which he no longer had a job was not likely to achieve the basic objective, for, if unemployed, he could not support his family. Finally, in many instances of desertion, reuniting the family was not desirable even though support was essential.*[50]

It is generally maintained that the increasing number of children who received AFDC benefits because of the absence of their father, together with the more frequent instances in which the father lived in another State, led

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[49]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Interstate Child Support Collections Study*. Developed by Center for Human Services, Grant No. 18-P-00216-3-01, May 1985. Washington, 1985. p. 7. [Hereafter cited as U.S. Dept. of Health and Human Services, *Interstate Child Support Collections Study*]

[50]Brockelbank, William J., and Felix Infausto. *Interstate Enforcement of Family Support (The Runaway Pappy Act)*. Indianapolis, The Bobbs-Merrill Company, Inc., 1971. p. vi of foreword by William Frederick.

many States to quickly adopt URESA. In 1940, 30.3 percent of AFDC children had an able-bodied father who was living away from the home. By 1950, the figure had reached 49.3 percent. About 32 States had enacted the original version of URESA within 5 years of its promulgation by the National Conference.

The purpose of URESA was to provide a system for the interstate enforcement of support orders without requiring the person seeking support to go (or have her legal representative go) to the State in which the noncustodial parent resided. Where the URESA provisions between the two States are compatible, the law can be used to establish paternity, locate an absent parent, and establish, modify, or enforce a support order. However, some observers note that the use of URESA procedures often result in lower orders for both current support and arrearages. They also contend that few CSE agencies attempt to use URESA procedures to establish paternity or to obtain a modification in a support order.

(b) Long-Arm Statutes

Unlike URESA, interstate cases established or enforced by "long-arm" statutes use the court system in the State of the custodial parent rather than that of the noncustodial parent. When a person commits certain acts within a State, that person may be subjecting himself to the jurisdiction of that State, even if he does not live in that State. The "long-arm" of the law of the State where the event happens may reach out to "grab" the out-of-State person so that issues relating to the event may be resolved where it happened. Under the long-arm procedure, the State must authorize by statute that the acts allegedly committed by the defendant are those that subject the defendant to the State's jurisdiction. An example is a paternity statute stating that if conception takes place in the State and the child lives in the State, the State may exercise personal jurisdiction over the alleged father. Long-arm statute language usually speaks of extending the State's jurisdiction over an out-of-State defendant to the maximum extent permitted by the U.S. Constitution under the Fourteenth Amendment's Due Process Clause. Long-arm statutes may be used to establish paternity, establish support awards, and enforce support orders.

(c) Federal Courts

The 1975 CSE law mandated that the State plan for CSE require States to cooperate with other States in establishing paternity, locating absent parents, and securing compliance with court orders and authorized the use of Federal courts as a last resort to enforce an existing order in another State if that State were uncooperative.

Federal law allows the U.S. district courts to be used for the enforcement of child support orders in interstate cases. If another State fails to undertake to enforce a child support order on behalf of the requesting State within a reasonable time, the requesting State may ask the OCSE to certify the case

for use of the Federal courts. If the application meets certain procedural requirements and it is determined that use of the Federal courts is the only reasonable method of enforcing an order, the case is to be certified for action by the U.S. district court. (OCSE officials say that Federal courts also can *establish* support orders.)

Section 460 of the Social Security Act says that the district courts of the United States shall have jurisdiction, without regard to any amount in controversy, to hear and determine any civil action certified by the Secretary of DHHS under section 452(a)(8) of the Act. A civil action under section 460 may be brought in any judicial district in which the claim arose, the plaintiff resides, or the defendant resides. Section 452(a)(8) says that the Secretary of DHHS shall receive applications from States for permission to use the courts of the United States to enforce court orders for support against noncustodial parents and, upon a finding that (A) another State has not undertaken to enforce a court order of the originating State against the noncustodial parent within a reasonable time, and (B) that using the Federal courts is the only reasonable method of enforcing such order, approve such applications.

As a condition to obtaining the certification from the Federal OCSE, the CSE agency of the initiating State must give the CSE agency of the responding State at least 60 days after first seeking assistance in enforcing the order, a "30-day warning" of its intent to seek enforcement in Federal Court. If the initiating State receives no response within the 30-day limit, or if the response is unsatisfactory, the initiating State may apply to the OCSE Regional Office for certification. The application must attest that the above requirements have been satisfied. Upon certification of the case, a civil action may be filed in the U.S. District Court.[51] Although this interstate enforcement procedure has been available since enactment of the CSE program, there has only been one reported case of its use by a State (the initiating State was California, and the responding State was Texas).

(d) Interstate Income Withholding

Interstate income withholding is a process in which the State of the custodial parent seeks the help of the State in which the noncustodial parent's income is derived to enforce a support order using the income withholding mechanism. Pursuant to P.L. 98-378, income withholding availability has been universal for all valid in-State or out-of-State orders issued or modified after October 1, 1985, and for all orders in CSE cases regardless of the date the order was issued. Although Federal law requires a State to enforce another State's valid orders through interstate income withholding, there is no Federal mandate that interstate income withholding procedures be uniform. Approaches vary from the Model Interstate Income Withholding Act to URESA registration. The preferred way to handle an

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[51]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 219.

interstate income withholding request is to use the interstate action transmittal form from one CSE agency to another. In CSE cases, Federal regulations required that by August 22, 1988, all interstate income withholding requests be sent to the enforcing State's central registry for referral to the appropriate State or local official. The actual wage withholding procedure used by the State in which the noncustodial parent lives is the same as that used in intrastate cases.

While all of the enforcement techniques available in intrastate cases also are available in interstate cases, specified procedures must be followed with regard to income withholding. In order to comply with the 1984 amendments, a State must meet the following requirements:

(1) As of October 1, 1985 (with some exceptions), every support order issued or modified in the State must include "provision for withholding from wages."

(2) The withholding process must be commenced for all CSE clients, without application by the client, and without amendment to the underlying support order, when the arrearages are equivalent to 1 month's support, or sooner at the State's election or when requested by the noncustodial parent.

(3) Advance notice of the proposed withholding must be sent to the noncustodial parent (except in a State that in August 1984 had a system of withholding in effect which met State due process requirements, but did not provide advance notice).

(4) The noncustodial parent may contest withholding, but his defenses are limited to mistakes of fact, e.g., miscalculation of the amount owed. Requests to modify custody or support orders may not be raised in defense, nor may denial of visitation. These matters must be raised in other proceedings.

(5) The State must notify the obligor within 45 days of the advance notice of the withholding decision in contested cases.

(6) Amounts to be withheld are limited by section 303(b) of the Federal Consumer Credit Protection Act.

(7) Employers must comply with withholding orders and will be liable for any amounts not withheld after receiving proper notice. State law also must have a provision to fine any employer who fires, disciplines, or refuses to hire an obligor because of the support withholding obligation.

(8) Employers need not change their regular payroll pattern and may combine all withheld amounts into one check, with an itemized statement showing amounts attributable to each employee.

(9) State law must provide for ending withholding.

(10) State law must give priority to child support withholding over any other legal process brought under State law against the same wages.

(11) Wages must be subject to withholding: A State may also extend withholding to cover other sources of income.

(12) The State must designate a public agency or a publicly accountable private agency to administer the withholding program, to distribute amounts withheld, and to monitor payments.[52]

States decide whether or not to make interstate income withholding available in *non-CSE* cases. Some States do not allow non-CSE interstate income withholding, insisting that all such requests be channelled through the CSE agency. In those States, it is necessary for a private attorney to refer his client to the local CSE office.

(e) 1988 Law

P.L. 100-485 includes some provisions affecting interstate child support enforcement. The new law requires the establishment of a 15-member commission to study interstate child support establishment and enforcement. The commission is required to report its findings and recommendations to Congress by May 1, 1991. The duties of the commission include submitting recommendations to revise the URESA. As of October 1989, only four members of the commission had been appointed. The new law also requires States to establish automated statewide, comprehensive case tracking and monitoring systems, which should improve each State's ability to manage interstate cases.

(f) Other Procedures That Aid Interstate Enforcement

In 1948, the National Conference of Commissioners on Uniform State Laws and the American Bar Association approved the Uniform Enforcement of Foreign Judgments Act (UEFJA). Revised in 1964 and adopted in only 30 States, UEFJA provides that upon the filing of an authenticated foreign (i.e., out-of-State) judgment and notice to the obligor, the judgment is be treated in the same manner as a local one. A judgment is the official decision or finding of a court on the respective rights of the involved parties. UEFJA applies only to judgments entitled to full faith and credit in the rendering State. As a general rule, child support arrearages that have been reduced to

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[52]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Model Interstate Income Withholding Act With Comments*. Drafted by the Child Support Projects of the American Bar Association and National Conference of State Legislatures, Contract No. 600-82-1206 and 600-82-1057. Washington, 1984.

judgment, and arrearages that are not subject to retroactive modification in the rendering States are final judgments and thus entitled to filing under UEFJA. (Currently, all States should now have legislation generally prohibiting the retroactive modification of child support arrears.)

Summary Information on Collection Techniques. Table 4 and chart 1 show the percentage of child support collections obtained through the use of selected enforcement techniques. According to the OCSE, most CSE collections come from noncustodial parents who are complying with their support orders. However, this information is not provided in the OCSE annual report, which identifies only collection techniques that are concentrated on delinquent payments. The report for FY 1988 shows that 47 percent of the $4.6 billion in child support payments collected that year was obtained through the more publicized enforcement techniques: wage withholding, Federal income tax refund offset, State income tax refund offset, and unemployment compensation intercept. The remaining 53 percent is listed as collected by "other" means. Officials said most of these "other" collections come from noncustodial parents who were complying with their support orders by sending their payments to the CSE agency. The "other" category also included collections from noncustodial parents who voluntarily sent money for their children even though a support order had never been established for them (1.3 percent of all collections), and other enforcement techniques, such as liens against property, the posting of bonds or securities, and use of the full IRS collection procedure.

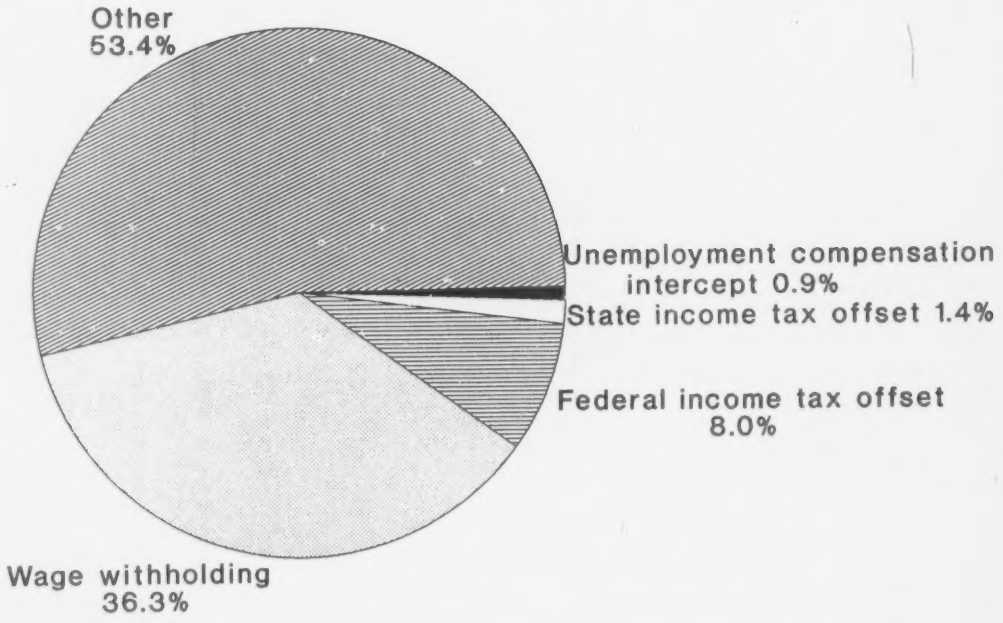
TABLE 4. Child Support Collections Made by Various Enforcement Techniques, FY 1988

Enforcement techniques	Child support collections FY 1988	Percent of total collections
Wage withholding	$1,674,185,000	36.3%
Federal income tax offset	369,865,000	8.0
State income tax offset	64,262,000	1.4
Unemployment compensation intercept	42,310,000	0.9
Other[a]	2,461,973,000	53.4
Total collections	$3,897,050,000	100.0%

[a]The OCSE does not designate the source of most of these collections. According to the OCSE, the majority of collections in the "other" category came from noncustodial parents who were complying with their support orders by sending their payments to the CSE agency. Moreover, the OCSE officials maintain that reliability of collection data lessen when specified by techniques of collection.

Source: U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Child Support Enforcement Statistics, Fiscal Year 1988. Thirteenth Annual Report to Congress for the Period Ending September 30, 1988*, v. II. [Advance Copy]

Chart 1. Child Support Collections Made by Various Enforcement Techniques FY 1988



Source: Child Support Enforcement: Thirteenth Annual Report to Congress.

Bankruptcy and Child Support Enforcement

The 1975 child support legislation included a provision that stated that an assigned child support obligation was not discharged in bankruptcy (i.e., a person filing bankruptcy was not relieved of his child support obligation). In 1978 this provision was repealed and incorporated into the 1978 uniform law on bankruptcy. The bankruptcy law also listed exceptions to discharge including alimony, maintenance or support due a spouse, former spouse, or child of the debtor in connection with a separation agreement, divorce decree, or property settlement. In 1981, the provision stating that a child support obligation assigned to the State as a condition of AFDC eligibility is not dischargeable in bankruptcy was reinstated. In 1984, a provision was enacted that provided that child support obligations that have been assigned to the State as part of the CSE program may not be discharged in bankruptcy, regardless of whether they are on behalf of an AFDC family or a non-AFDC family and regardless of whether the debtor was married to the child's other parent.

Linkage Between AFDC and Child Support Enforcement

The Social Security Act requires every State operating an AFDC program to run a CSE program as well. Federal law requires applicants for, and recipients of, AFDC to assign their support rights to the State in order to receive AFDC. In addition, each applicant or recipient must cooperate with the State if necessary to (1) establish the paternity of a child born outside of marriage, and (2) obtain child support payments, unless it is found not to be in the best interest of the child to do so.

Under the law, AFDC recipients or applicants may be excused from the requirement of cooperation if the AFDC agency determines that "good cause" for noncooperation exists, taking into consideration "the best interests of the child on whose behalf aid is claimed." The determination is made according to standards in Federal regulations, the so-called good cause regulations.[53] If good cause is found not to exist and if the relative with whom a child is living still refuses to cooperate, the relative is to be disqualified from AFDC and the child's benefits are to be sent in the form of a protective payment to a person other than the caretaker relative. (The same is true of refusal to assign to the State support rights: the child will not be disqualified from AFDC, but will receive AFDC benefits only in the form of protective payments.) A summary of the good cause regulations follow. Circumstances under which cooperation may be found to be against the best interests of the child are defined to include: situations in which cooperation is reasonably anticipated to result in physical or emotional harm to the child, or physical or emotional harm to the caretaker relative, of such nature that it reduces

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[53]Current "good cause" regulations are found at 45 C.F.R. Parts 232.40-232.43 (1988).

the capacity to care for the child adequately; situations in which the child was conceived as a result of incest or rape; and situations in which legal procedures are underway for the child's adoption.[54] Families who do not receive AFDC assistance also are eligible for CSE and paternity determination services if they *apply* for services.

Program Goals. One of the goals of the AFDC program is to provide financial assistance to needy dependent children who are not being supported by both parents. One of the goals of the CSE program is to enforce parental obligations to support their children. The AFDC program depends on the CSE program to obtain support from a noncustodial parent to reduce AFDC expenditures. The CSE agency depends on the AFDC agency for timely, complete, and accurate referrals on cases, and for enforcement by AFDC staff, of the requirement that AFDC recipients cooperate with the CSE staff in obtaining collections from the absent parent. One observer has stated,

> *The irony of the situation is that neither program tends to recognize the power of their interdependence. What one program does, can or will affect the other program in a negative or positive way. Properly coordinated, with turf issues set aside, the programs together can provide valuable tools for AFDC recipients.*[55]

Receipt of AFDC and/or CSE. A number of studies conclude that marital status is a strong predictor of receipt of welfare and of child support. The data show that divorced mothers are much more likely to receive child support and much less likely to receive AFDC than are mothers who have never been married. Further, the longer the mother is a single parent, the more likely she is to go on welfare and the less likely she is to receive child

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[54]The requirement that applicants and recipients of AFDC cooperate in establishing paternity and obtaining support from a noncustodial parent has been the subject of controversy since it was enacted in the 1975 CSE legislation. The provision was modified by P.L. 94-88, enacted August 1, 1975, to allow noncooperation on the part of individuals whom the State determined had good cause for refusal; such determinations were to be made on the basis of standards established by the Secretary of the Department of Health, Education, and Welfare. The requirement that the Secretary establish standards turned out to be difficult to fulfill because of continuing controversy over their content. Proposed regulations were published August 13, 1976, a year after the good cause legislation was enacted. Final regulations were not published until nearly 1-1/2 years later, on January 16, 1978. The final regulations generated further controversy and were subsequently revised and published October 3, 1978.

[55]deMaar, Natalie. *AFDC and Child Support: Failure to Interface the Systems, Failure to Serve Our Children*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 345-348.

support. Although single mothers receiving child support are significantly less likely to receive welfare than single mothers who receive no child support, child support alone is not sufficient to cause the average mother to become ineligible for AFDC. Many researchers attribute this to the historically low levels of child support awards.[56] Furthermore, data also show that the lack of child support payments alone do not lead to AFDC recipiency. According to Census Bureau data, 81 percent of the 1.139 million mothers who were owed child support in 1985 but received *none* did not become AFDC recipients that year. Moreover, 65 percent of the 3.4 million women who were *not* issued child support orders in 1985 did not become AFDC recipients in 1985.[57]

As noted earlier, child support payments made on behalf of a child receiving AFDC are supposed to be paid to the CSE agency rather than directly to the family. If the child support collection is insufficient to disqualify the family from receiving AFDC payments, the family receives its full monthly AFDC grant plus the first $50 of the child support payment made on the child's behalf for that month. The remainder of the monthly child support payment is distributed to reimburse the State and Federal Governments in proportion to their assistance to the family. If the family's income, including the child support payment, is sufficient to make the family ineligible for AFDC payments, its AFDC benefits are ended and future child support payments are paid directly from the noncustodial parent to the family. In FY 1987, $252 million in child support was "passed through" to AFDC families under the $50 disregard rule.

Reduced AFDC Funding for Failure of CSE Program. Under Federal law, the OCSE is required to conduct an audit of each State's CSE program at least once every 3 years to determine whether the actual operation of the program conforms to requirements of the law. If a State is found not to be in "substantial compliance," the State has up to 1 year to develop "corrective action" to meet the substantial compliance criteria. A follow-up audit is required after the corrective action period to determine whether a State has achieved substantial compliance. Under the CSE program's penalty provision, a State's AFDC matching funds must be reduced by an amount equal to 1 percent but no more than 2 percent for the first finding of a failure to comply substantially with CSE standards and requirements, at least 2 percent but no more than 3 percent for the second failure, and at least 3

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[56]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Child Support and Welfare: An Analysis of the Issues*, by Philip K. Robins, Ph.D, and Katherine P. Dickinson, Ph.D. Washington, 1983. p. i-iv.

[57]Lerman, Robert I. *Child Support and Dependency*. Prepared by Heller Graduate School, Brandeis University, Contract No. HHS-OS-100-86-0021, U.S. Department of Health and Human Services, OS, ASPE. Waltham, Mass., June 1987. p. 7.

percent but no more than 5 percent for the third and any subsequent consecutive failure.

FEDERAL ROLE

Family Law to Federal Policy

Congress does not have general authority to pass or enact laws dealing with family law issues, unless there is a connection or "nexus" between such legislation and one of the areas in which it is authorized to act.

> *Art. 1, sec. 8 of the Constitution, the so-called enumerated powers clause, limits congressional authority to act by specifying general subject categories where Federal action is permissible. Under this clause and the Tenth Amendment, categories other than those enumerated in the Constitution, including domestic relations topics, are reserved for state action. The rationale behind this approach is that there are few overriding national considerations in the family law area, so states for the most part should be free to legislate as they see fit on these questions.*[58]

Nonetheless, Congress funds many programs that involve issues which some observers say should be handled at the State and local level (via the family courts).

> *In many instances these funds are not dispensed automatically; rather, states must meet various requirements as a precondition of qualifying for the money. These programs do not violate the Constitution because state participation is voluntary. However, as a practical matter most states do in fact choose to participate, especially where large sums of money are involved.*[59]

In the case of the CSE program, the Federal nexus is the billions of Federal dollars used to fund the AFDC program. By 1974, Congress perceived a connection between the failure to pay child support and a growth in the number of families receiving AFDC benefits. During debate on the CSE legislation, Senator Long stated:

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[58]U.S. Library of Congress. Congressional Research Service. *Family Law: Authority of Congress to Legislate on Domestic Relations Questions.* CRS Report for Congress No. 89-152 A, by Rita Ann Reimer, updated by Lou Fields. Washington, 1988. Summary.

[59]Ibid., p. 15.

Should our welfare system be made to support the children whose father cavalierly abandons them--or chooses not to marry the mother in the first place? Is it fair to ask the American taxpayer--who works hard to support his own family and to carry his own burden--to carry the burden of the deserting father as well? Perhaps we cannot stop the father from abandoning his children, but we can certainly improve the system by obtaining child support from him and thereby place the burden of caring for his children on his own shoulders where it belongs. We can--and we must--take the financial reward out of desertions.[60]

Federal Legislation, Including Views at Passage

The chief sponsor of the original child support and paternity establishment legislation enacted in January 1975 was Senator Russell Long, who at that time was chairman of the Committee on Finance. During preliminary hearings in 1973, his committee heard favorable testimony from witnesses as diverse as then Governor Ronald Reagan (architect of his own child support initiatives when Governor of California) and representatives of the National Organization for Women (NOW). But the attitude of the social welfare community as a whole was generally negative. Only a few Senators spoke in favor of the legislation when it came before the Senate. When it passed the Senate on December 17, 1974, it did so at least in part because it was tied to more popular social services amendments.

President Gerald Ford expressed "reservations" when he signed the enacting legislation. While supporting the "objectives" of the amendments, he contended that certain provisions "go too far by injecting the Federal Government into domestic relations." He complained of "serious privacy and administrative issues," and promised to propose legislation to correct defects.[61]

Ten years later these concerns had apparently disappeared. The Child Support Enforcement Amendments of 1984, P.L. 98-378, were passed by the House unanimously on November 16, 1983, and by the Senate unanimously on April 24, 1984. The 1984 amendments had a wide range of support from such groups as the NOW Legal Defense and Education Fund, American Public Welfare Association, National Council of State Child Support Enforcement Administrators, National Governor's Association, and National Women's Law Center. Representative Kennelly, sponsor of the bill, remarked during the House debate on the amendments that the reason traditionalists and feminists

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[60]Long, Russell B. Remarks in the Senate. *Congressional Record*, v. 118, Mar. 14, 1972. p. 8291.

[61]This discussion of the views at passage of the 1975 Act was taken almost entirely from: Congressional Research Service, *The Child Support Enforcement Amendments of 1984*, p. 1-2.

could support the bill was because both groups agreed that parents should take responsibility for their children seriously.

When President Ronald Reagan signed the Amendments into law on August 16, 1984, he hailed them as "legislation that will give children the helping hand they need."

Four years later when President Reagan signed the Family Support Act of 1988 (P.L. 100-485) into law, he said that the legislation represents

> *. . . the culmination of more than 2 years of effort and responds to the call in my 1986 State of the Union Message for real welfare reform--reform that will lead to lasting emancipation from welfare dependency. . . . first, the legislation improves our system for securing support from absent parents . . . .*

Federal Agencies or Entities Involved in Child Support Enforcement

Office of Child Support Enforcement. Although the fundamental activities of locating absent parents, determining paternity, establishing child support obligations, and obtaining child support are carried out at the State level using State laws and procedures, the CSE program substantially increases the Federal role in child support enforcement. Under the 1975 law, the Department of Health, Education, and Welfare was required to establish a separate organizational unit, the Office of Child Support Enforcement (OCSE), to carry out the program. The OCSE is required to review and approve State CSE plans, establish standards for effective State CSE programs, and establish minimum organizational and staffing requirements for CSE agencies. The OCSE also is required to provide technical assistance to States, assist them with reporting procedures, and maintain records of program operations and child support expenditures and collections.

The OCSE operates the Federal Parent Locator Service (FPLS), produces program-related publications, administers research and demonstration projects, provides training to CSE workers, distributes information to the public, and conducts audits of State and local CSE programs. Through its FPLS, the OCSE provides States with information to lead to the location of absent parents. The FPLS is a computer network system used to find absent parents in order to enforce child support obligations. States are no longer required to exhaust State parent locator resources before accessing the FPLS.

The OCSE also serves as a certifying authority to which CSE agencies must appeal before they make use of Federal machinery for collecting support: (1) before a State may invoke the use of the collection mechanism of the IRS to collect overdue child support, it must appeal to the OCSE for certification of the delinquent amount, and (2) before a State may use the Federal courts in an interstate CSE case, the OCSE must certify the action.

Finally, the director of OCSE has full responsibility for program evaluation. Before FY 1984, the statute required an annual audit of each State's CSE program to determine whether the actual operation of the program conformed to Federal requirements. The penalty for noncompliance was a reduction of 5 percent of the Federal matching funds that would otherwise be payable to the State under the AFDC program. This penalty was never imposed; legislation was periodically enacted to suspend its implementation.

The 1984 amendments modified these audit and penalty requirements. Audits are now required at least once every 3 years to determine whether the standards and requirements prescribed by law and regulations have been met. Under the penalty provision, a State's AFDC matching funds must be reduced by an amount equal to at least 1 but no more than 2 percent for the first finding of a failure to comply substantially with the standards and requirements, at least 2 but no more than 3 percent for the second failure, and at least 3 but no more than 5 percent for the third and any subsequent consecutive failure.

Internal Revenue Service. The IRS offers a variety of services to State and local CSE agencies to assist them in establishing a support obligation and collecting support payments. The IRS can disclose income data from a noncustodial parent's tax return to aid in the CSE agency's financial assessment and enforcement efforts. In addition to furnishing relevant information on the noncustodial parent's financial circumstances, the IRS also *collects* overdue child support payments on behalf of a State CSE agency for both AFDC and non-AFDC cases. It does this through either its regular collection process, which may include seizure of property, freezing accounts, or other procedures, if the amount "certified" for collection is at least $750, or through its Federal income tax refund offset program.

To date little use has been made of the regular IRS collection process. In FY 1988, $209,000 was collected. In contrast, the Federal income tax refund offset program has collected relatively large amounts. In FY 1988, it collected $401.5 million. This occurred despite findings by the IRS that once noncustodial parents became aware of how the program works they would arrange their finances so as not to receive an income tax refund.[62]

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[62]Fadell, Alicia, and Timmie McArthur. *Trends in the Refund Offset Program*. U.S. Dept. of Treasury, Internal Revenue Service, Research Division, Office of the Assistant Commissioner of Planning, Finance and Research. p. 41-49.

FUNDING

The Federal Government currently reimburses each State 66 percent of the cost of administering its CSE program. When the program began in 1975, the Federal match was 75 percent. In 1982, P.L. 97-248 reduced the Federal match to 70 percent (FY 1983-1987). In 1984, P.L. 98-378 reduced the Federal match to 68 percent in FY 1988 and FY 1989, and to 66 percent in FY 1990 and years thereafter. These costs include moneys for "locate" services, paternity establishment, establishment of child support orders, and enforcement services.

The Senate Finance Committee report on H.R. 4325 (which later was enacted into P.L. 98-378) stated the following as reasons for the gradual reduction in the Federal matching rate for the CSE program.

> *The Committee believes that in a program which assures States of open-end funding on an entitlement basis, it is particularly appropriate for both the Federal and State governments to bear a substantial share of the financing requirements. By increasing the State matching share, the Committee expects that State responsibility for and interest in the effectiveness of child support enforcement and paternity establishment services will also be increased.*
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> *In 1975, when the IV-D [CSE] program began, it was necessary to have a very high matching rate in order to persuade the States to participate. Now that the program has proved its value, as the testimony on behalf of the National Governors' Association before this Committee confirms, it is time to move toward a more equal sharing of the costs. The Committee recognizes that in the short run this small change in the Federal matching rate will not result in significant Federal savings. However, the Committee believes that, over time, the increased stake by the States in this program will have the effect of encouraging closer scrutiny of expenditures of scarce dollars.*[63]

The Federal Government also pays 90 percent of State costs of developing and improving management information systems, including expenditures on the hardware (i.e., computers) and 90 percent of costs attributable to laboratory costs incurred in determining paternity.

The Federal Government pays most of the costs of State CSE programs. States receive Federal funds to pay a majority share of the costs of operating CSE programs plus Federal incentive payments based on total collections and the cost-effectiveness of their programs. State programs receive additional

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[63]U.S. Congress. Senate. Committee on Finance. *Child Support Enforcement Amendments. Report to Accompany H.R. 4325.* Senate Report 98-387, 98th Cong., 2d Sess. Washington, U.S. Govt. Print. Off., 1984. p. 23.

funding from the State government.[64] Although the actual dollars contributed by the Federal Government are greater, the level of funding allocated by the State or local government determines the amount of resources available to the CSE agency.[65]

Incentive Payments to States

In most States, the State share of CSE collections made on behalf of AFDC families can be calculated by subtracting the Federal medical assistance percentage from 100 percent (in some States, local governments also are entitled to part of the State's share of collections). In addition, States and localities receive Federal CSE incentive payments that come entirely from the Federal share of child support collections. The new incentive formula, effective October 1, 1985, was designed to encourage States to develop CSE programs that emphasize collections on behalf of both AFDC and non-AFDC families, and to improve the program's cost effectiveness.

Under the new incentive formula, each State receives an incentive payment equal to at least 6 percent of the State's total amount of AFDC support collections for the year, plus at least 6 percent of the State's total amount of non-AFDC collections for the year. The amount of the State's incentive payment could reach a high of 10 percent of the AFDC collections plus 10 percent of the non-AFDC collections, depending on the State's ratio of child support collections to administrative costs. (See table 5.)

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[64]Local programs may receive additional funding from either the State or local government or both pursuant to the State's CSE plan.

[65]Owens, John R. *Maximizing IV-D Resources*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 1.

TABLE 5. Incentive Payment Structure

Collection-to-cost ratio	Incentive payment received
less than 1.4 to 1	6.0%
at least 1.4 to 1	6.5%
at least 1.6 to 1	7.0%
at least 1.8 to 1	7.5%
at least 2.0 to 1	8.0%
at least 2.2 to 1	8.5%
at least 2.4 to 1	9.0%
at least 2.6 to 1	9.5%
at least 2.8 to 1	10.0%

There is a limit, however, on the incentive payment for non-AFDC collections. The incentive payments for such collections may not exceed 115 percent of incentive payments for AFDC collections. (This percentage was 100 percent in FY 1986 and FY 1987, 105 percent in FY 1988, 110 percent in FY 1989, and 115 percent in FY 1990 and each year thereafter.)

The new incentive formula seeks to assure that States provide equitable treatment for both AFDC and non-AFDC families. Under the old system, a State that incurred administrative costs to collect support for a non-AFDC family did not receive an incentive payment since incentives were paid only for AFDC collections. This practice generally resulted in the neglect of non-AFDC cases. The new incentive formula aims to remedy that by making payments for non-AFDC collections. At the same time it has placed a limit on non-AFDC incentive payments so as to lessen the possibility that States would merely transfer to the CSE program child support activities which were previously financed out of State and/or local moneys, with no increase in the level of child support services.[66]

[66]Some States encompass all, or the majority of, child support cases in their non-AFDC CSE caseload, usually through cooperative agreements with family courts. Under these agreements, an application for routine family court services is designated as an application for CSE services, even though many custodial parents are unaware of the fact. Thus, the CSE non-AFDC caseload in some States includes all divorce cases in the State involving children and any other case where the family applies to the court for the establishment or enforcement of a support order. In some of these cases, the CSE agency may not be providing any services beyond those that were provided by the court

(continued)

At State option, laboratory costs (for blood testing, etc.) to establish paternity may be excluded from the State's administrative costs in calculating the State's collection-to-cost ratios for purposes of determining the incentive payment. In addition, for purposes of calculating these ratios, interstate collections are credited to both the initiating and responding States.[67] Incentives are paid according to the collection-to-cost ratios (ratio of AFDC collections to total administrative costs and ratio of non-AFDC collections to total administrative costs) shown in table 5.[68]

In addition to substantial Federal reimbursement, States may use fees and cost recovery to help finance the CSE program (discussed later). Such fees and costs recovered from non-AFDC cases must be subtracted from the State's total administrative cost before calculating the Federal reimbursement amount; however, the lower administrative cost figure may result in greater Federal incentive payments by improving the State's collection-to-cost ratio.[69]

(continued) or State before the enactment of the CSE program. See Maximus, Inc. *Evaluation of the Child Support Enforcement Program, Final Report.* Prepared for U.S. Dept. of Health and Human Services, Social Security Administration, Office of Research and Statistics, Contract No. 600-82-0089, Apr. 1983. p. ES-6. [Hereafter cited as Maximus, Inc., *Evaluation of the Child Support Enforcement Program*]

[67]Before 1984, a State that initiated a successful action to collect child support from another State generally did not receive an incentive payment. Rather, the jurisdiction that made the collection received the incentive payment. P.L. 98-378 provides that both States involved in an interstate collection be credited with the collection for purposes of computing incentive payments. This "double-counting" is intended to encourage States to pursue interstate cases as energetically as they pursue intrastate cases. States now will pay incentives for interstate cases to themselves out of the Federal share of collections they distribute.

[68]In many States, much of the actual work of CSE is funded and performed by local governments, through courts, district attorneys, or other entities. The 1984 CSE amendments (P.L. 98-378) allow political subdivisions of the State that participate in the costs of support enforcement to receive an appropriate share of any incentive payment given to the State. The 1984 amendments require the States to develop criteria for passing through incentives to localities, taking into account the efficiency and effectiveness of local programs.

[69]National Conference of State Legislatures. *State Budget Implications: Child Support Enforcement*, by Laura L. Loyacono and Shelley Smith. Contract No. 600-82-0157, U.S. Dept. of Health and Human Services, Family Support Administration, Office of Child Support Enforcement. Washington, Mar. 1988. p. 11. [Hereafter cited as National Conference of State Legislatures, *State Budget Implications: Child Support Enforcement*]

Payments to AFDC Families

Families receiving AFDC benefits automatically qualify (free of charge) for CSE services. Their cases are referred to the CSE agency. Federal law requires AFDC families (and applicants), as a condition of eligibility for aid, to assign their support rights to the State, to cooperate with the State in establishing the paternity of a child born outside of marriage, and to cooperate with the State in obtaining support payments. The provision requiring the AFDC applicant or recipient to assign to the State her rights to support covers both current support and any arrears which have accrued, and lasts as long as the family receives AFDC. When the family no longer receives AFDC, the mother or caretaker relative regains her right to collect current support, but if there are arrears, the State may claim those arrears up to the amount paid out as AFDC benefits.

Child support payments made on behalf of a child receiving AFDC are supposed to be paid to the CSE agency rather than directly to the family. If the child support collection is insufficient to disqualify the family from receiving AFDC payments, the family receives its full monthly AFDC grant plus the first $50 of the child support payment made in the child's behalf for that month.[70] The remainder of that monthly child support payment is distributed to reimburse the State and Federal Governments in proportion to their assistance to the family. If the family's income, including the child support payment, is sufficient to make the family ineligible for AFDC payments, the family's AFDC benefits are ended, and future child support payments are paid directly from the noncustodial parent to the family. Families who do not receive AFDC assistance also are eligible if they *apply* for services, unless they have left the AFDC rolls and are automatically provided continued CSE services.[71]

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[70]The $50 "pass through" provision was enacted as part of P.L. 98-369, the Deficit Reduction Act of 1984. The provision took effect on October 1, 1984. One purpose of the provision is to encourage cooperation of custodial parents receiving AFDC benefits with the CSE agency. Another purpose of the provision is to increase AFDC benefits for those receiving child support payments.

[71]P.L. 98-378, the 1984 CSE amendments, requires States to provide that AFDC recipients whose eligibility for AFDC is ended because of the receipt of child support payments or for another reason be automatically transferred from AFDC to non-AFDC status under the State CSE program without requiring reapplication or the payment of an application fee. The provision took effect on October 1, 1984.

Payments to Non-AFDC Families

The entire amount of child support payments collected on behalf of a non-AFDC child is paid directly to the family. Even so, the State still receives the Federal reimbursement (currently 66 percent) for the costs of establishing and enforcing child support obligations for these non-AFDC cases.[72] Non-AFDC families participate in the CSE program on a voluntary basis, except for Medicaid-only cases.[73] Federal funding for services to non-AFDC families was made a permanent part of the program in 1980 by P.L. 96-272. Federal law requires the State to charge an application fee of up to $25 for CSE services for non-AFDC families. Some States charge the full $25, some less, and others use State funds to pay the fee or seek collection from the noncustodial parent.

In addition, CSE agencies are allowed to recover the actual costs of their services to non-AFDC families from either the custodial parent or the noncustodial parent, once current support has been covered. In practice, this means that costs are deducted from arrears that otherwise would be paid directly to the non-AFDC client. Recovery of these costs is contingent on payment of the arrears.[74] However, it is the practice of most States not to recover the cost of their services. In FY 1988, fees received and costs recovered for non-AFDC cases amounted to $7.3 million.[75] In FY 1988, Kansas, North Dakota, Ohio, Puerto Rico, and Utah reported *zero* collections

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[72]In some States, parents may be ordered by the court to make and receive support payments directly or through a court registry or State child support clearinghouse without any formal application to the CSE agency. When this occurs, the money collected, since it is outside the CSE system, *cannot* be counted in determining the amount of Federal reimbursement to the State.

[73]P.L. 100-203, the Omnibus Budget Reconciliation Act of 1987, required States to continue to provide CSE services to families (with an absent parent) who receive Medicaid and have assigned their medical support rights to the State, regardless of whether they are AFDC recipients.

[74]Bryant, Cynthia. *Ethics in IV-D Practice: The Real World Problems of IV-D Lawyers*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 289. [Hereafter cited as Bryant, *Ethics in IV-D Practice*]

[75]The amount of fees collected by the States for purposes of processing non-AFDC cases plus the amount of processing costs recovered by the States in excess of the fees charged *decreases* the amount of States' expenditures eligible for Federal CSE funding. Moreover, any interest earned on money from fees or recovered costs is considered CSE program income and must be used by the States to offset program expenditures [OCSE Action Transmittal, OCSE-AT-89-16. Aug. 15, 1989].

for fees and/or recovered non-AFDC costs (Virginia reported a negative amount, indicating that the State treasury paid such costs).

Several States try to recoup costs in non-AFDC cases by deducting their costs from the actual child support payment before sending it to the custodial parent. Because some of these custodial parents are only dollars away from qualifying for AFDC and because it generally is easier to get on welfare than to earn one's way off, some policymakers argue that this practice can result in welfare dependency; others maintain that it is unfair to the children.[76]

Arrearages

To receive AFDC benefits, a custodial parent must assign to the State her right to collect child support payments. This assignment covers current support and any arrears, and lasts as long as the family receives AFDC. When the family stops receiving AFDC, the assignment ends. The mother regains her right to collect current support. However, if there are arrears, the State may claim those arrears up to the amount paid out in AFDC. As described earlier, when a mother receives AFDC and the CSE agency makes a collection on her behalf, it must distribute the collection in accordance with Federal law. First, up to the first $50 collected is given to the family (a "disregard" that does not affect the family's AFDC benefit or eligibility status). Second, the Federal and State Governments are reimbursed for the AFDC benefits paid to the family in that month. Third, if there is money left, the family receives it up to the amount of the current month's child support obligation. Fourth, if there is still money left, the State keeps it to reimburse itself for any arrears owed to it under the AFDC assignment. If no arrears are owed the State, the money is used to pay arrears owed to the family. Such moneys are considered income under the AFDC program and would reduce the family's AFDC benefit.

In the case of non-AFDC families, the sequence is different. First, if the family never received AFDC, all child support collections made on the family's behalf are sent to the family. Second, if the family had received AFDC before, collections go toward payment on the current month's support obligation. If any money is left, it is considered arrears and the State decides whether the arrears will be paid to the family or State first. If the arrears are paid to the State, they are distributed between the Federal and State Governments as

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[76]National Conference of State Legislatures, *State Budget Implications: Child Support Enforcement*, p. 12.

reimbursement for past AFDC benefits. Third, if there are no arrears, the collection is credited toward future CSE payments.[77]

According to the OCSE 13th annual report, in FY 1988, the amount of total prior year support due, i.e., arrearages, amounted to $12.2 billion; $1.047 billion (8.6 percent) was paid in FY 1988 on FY 1987 arrears.

Distribution of Collections

Collections made on behalf of families receiving AFDC directly offset AFDC benefit costs and (except for the first $50 of current monthly support payments, which go directly to the family, and are disregarded as income for AFDC purposes) are shared between the Federal Government and the States in accordance with the matching formula used for the individual State's AFDC program.

In general, the initial determination of the Federal share of CSE collections is based on the rate of Federal financial participation in AFDC benefit costs. The Federal share of AFDC benefit costs generally is determined by the Federal medical assistance percentage. The Federal share of AFDC benefit costs (and, therefore, the Federal share of CSE/AFDC collections) is inversely related to State per capita income; within limits, the lower the State per capita income, the greater the Federal share. Nationally, this figure is about 56 percent. It ranges from a minimum of 50 percent to a statutory maximum of 83 percent. In FY 1990, the highest matching rate was 80.18 percent (Federal match for AFDC benefit costs in Mississippi).

Even though the national average (gross) Federal share of AFDC collections is 56 percent, Federal funds reimburse States for 66 percent of their CSE administrative costs. This lowers the net Federal share of support collections.

Use of Support Collections

The Federal share of child support collections paid by noncustodial parents of children receiving AFDC benefits is used first to pay incentives to States on their AFDC and non-AFDC collections. The remainder is used to offset Federal AFDC benefit costs. In FY 1988, incentive payments amounted to $223 million, almost 50 percent of the Federal share of CSE collections. Payments made on behalf of non-AFDC families go to the family.

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[77]Roberts, Paula. *Distribution of Support Collected by State IV-D Agencies in Light of Changes Made by the Family Support Act of 1988*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 111-114.

Neither Federal law nor regulations dictate the use of the State's share of child support savings; there are no Federal strings attached. However, child support collections in and of themselves can (1) prevent families from qualifying for welfare programs, (2) remove families from welfare rolls when the amount collected is sufficient, (3) partially offset State AFDC payments to families whose monthly child support is insufficient to remove them from welfare rolls, (4) recover or prevent the need for Medicaid payments through reimbursement from private health insurers in cases where the noncustodial parent has coverage, or where coverage is available, and (5) offset AFDC foster care costs. In addition, many States have chosen to reinvest child support savings back into the CSE program to increase the quality and effectiveness of the program. Some States use child support savings in other children and family programs. Others use child support savings wherever the State budget indicates the need.[78] As noted earlier, some States have placed their CSE programs in their revenue department.

Extent to Which Federal Government Bears Cost of the Child Support Enforcement Program

One of the purposes of the CSE program is to reduce public expenditures on welfare by obtaining support from noncustodial parents on an ongoing basis. The CSE program also provides services to nonwelfare parents who apply for services. One purpose of the non-AFDC component of the program is "welfare cost avoidance," that is, preventing families from going on AFDC (or other welfare programs) by collecting child support from noncustodial parents.

Even with the reduced Federal matching rate (from 75 percent in 1975 to 66 percent in 1990), the Federal Government has never recovered its costs from the CSE program. Under the current financing arrangement, States can run inefficient programs and still make a profit from the CSE program. The cost of the CSE program to the Federal Government, however, has continued, since 1984, to increase steadily.

To illustrate, assume that an inefficient State spends $200 to collect a $300 child support payment from a noncustodial parent whose children are receiving AFDC benefits. Such a State (with a collection-to-cost ratio of 1.5)[79]

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[78]National Conference of State Legislatures, *State Budget Implications: Child Support Enforcement*, p. 15-16, 21-22.

[79]In FY 1988, the average ratio of AFDC collections to AFDC administrative costs was 2.00, rather than the 1.5 used in the illustration. The reader should be aware that according to the OCSE State data on AFDC cost is unreliable. States are not able to separate out AFDC costs from non-AFDC costs, and only do so because of Federal reporting requirements. This is one reason why incentive payments are based on total administrative costs rather than AFDC or non-AFDC administrative costs.

would qualify for an incentive payment of $19.50 (6.5 percent of AFDC collections, see table 5). Since the State pays 34 percent of administrative costs, the collection would cost the State $68, but the State's share of the collection would total $144.50. This means that the State would pay 34 percent of the cost and get 48 percent of the collection. Thus, the net gain to the State would be $76.50.[80] On the other hand, the collection would cost the Federal Government $132, and its share of the collection would amount to $105.50. Thus, the collection would *cost* the Federal Government $26.50. In other words, the Federal Government would pay 66 percent of the cost and get 35 percent of the collection. The recipient would get nearly 17 percent of the collection (the $50 "pass through"). Table 6 shows that although the CSE program is a net gain for the States, it is a significant net cost to the Federal Government.

TABLE 6. State and Federal Share of Child Support Collections
(AFDC Family)

	Collections	Cost of collections	Net gain
State share	$125 + $19.50 = $144.50	$ 68	+$ 76.50
Federal share	$125 - $19.50 = $105.50	$132	- $ 26.50
Payment to recipient	$ 50.00	0	+$ 50.00
Total	$300.00	$200	+$100.00

The point at which a State breaks even (exactly recovers collection costs) in child support payments on behalf of AFDC recipients primarily depends on the share of AFDC benefit costs that it pays, and this, in turn, is related inversely to State per capita income. This can be shown by calculating the approximate breakeven ratios (collections needed per dollar of administrative cost) for States with *different* Federal AFDC matching rates, but the *same* collection cost per case. In the following examples, it is assumed that the cost of making a collection is $100 per month per AFDC case. This figure was

[80]This is a simplified example. Actually, the State's share of savings is determined by adding the State's share of AFDC collections to the State's AFDC and non-AFDC incentive payments. Its share of *total* administrative costs is subtracted from these revenues. The calculations assume a 50-50 matching rate for AFDC benefits.

chosen because it was the national average cost for FY 1988; it was obtained by dividing total CSE administrative costs of AFDC cases by the average number of AFDC cases in which a collection was made.

- *Example 1.* State that pays 50 percent of AFDC benefit costs--maximum State share. (In FY 1990, 11 States and the District of Columbia are in this position.)

  Under the existing system, the breakeven collection amount for a State spending $100 per AFDC case to collect child support payments, retaining the maximum State share (50 percent) of AFDC/CSE collections, paying the standard 34 percent of CSE administrative costs, and receiving the minimum incentive payment of 6 percent, is $105.[81] That is, the State need collect only $1.05 per $1 of total administrative cost in order to recover its share of costs. Conversely, the Federal breakeven ratio for this State's collections is approximately 2.17. That is, the State must collect about $217 in order for the Federal Government to break even.[82] (See table 7 and chart 2.)

- *Example 2.* State that pays the minimum share (less than 20 percent) of AFDC benefit costs.

  This situation is illustrated by the case of Mississippi, which has a Federal matching rate of 80.18 percent (and, thus, a State matching rate of 19.82 percent) for AFDC benefit costs. The breakeven collection amount for Mississippi, assuming it also spent $100 per AFDC case to collect child support payments, would be $164. This is a breakeven ratio of 1.64. Conversely, the Federal breakeven

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[81]State share of collections = State share of costs at "breakeven"

$$.5(C-\$50) + .06[(C-\$50)+\$50] = .34Y$$

$$.56C = 34 + \$25$$

Assume State receives 50-50 matching rate for AFDC benefit costs and assume Y = $100 (national average in FY 1988). C = total collections, Y = cost of collections, and (C-$50) = X, which is the public share of collections. The incentive payment equals 6 percent of total collections.

[82]Federal share of collections = Federal share of costs at "breakeven"

$$.5(C-\$50) - .08[(C-\$50)+\$50] = .66Y$$

$$.42C = 66 + \$25$$

Assume State receives 50-50 matching rate for AFDC benefit costs and assume Y = $100 (national average in FY 1988). C = total collections, Y = cost of collections, and (C-$50) = X, which is the public share of collections. The incentive payment, a function of the collection-to-cost ratio, equals 8 percent of total collections in this example.

ratio for Mississippi's CSE program is approximately 1.44. (See table 7 and chart 2.)

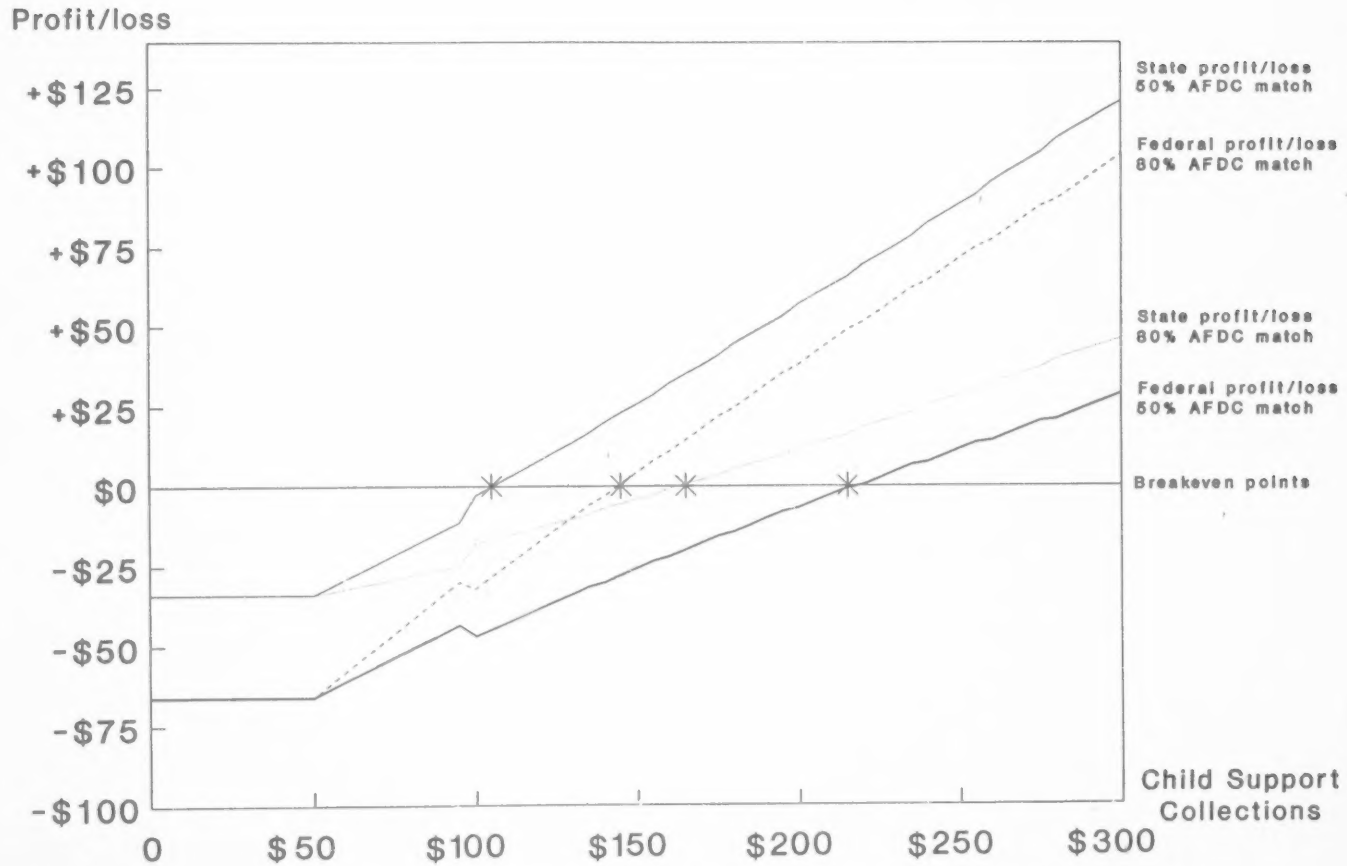
These illustrations show that the States that are entitled to a relatively small proportion of child support collections (because of paying a small share of AFDC benefit costs) have to collect more child support payments per administrative dollar than other States to recover their costs (other things being equal). (See table 7.)

TABLE 7. State and Federal Breakeven Points Per Dollar of Collection Costs[a] for Selected Federal AFDC Matching Rates

Federal AFDC matching rate	State breakeven	Federal breakeven
50%	$1.05	$2.17
60%	1.17	1.83
70%	1.36	1.60
80%	1.63	1.44

[a]The breakeven point is the amount of collections at which the jurisdiction exactly recovers its share of collection costs. In this table collection costs are assumed to be $100 per month, the FY 1988 national average cost of AFDC collections. This average was obtained by dividing FY 1988 AFDC expenditures by the average number of AFDC cases in which a collection was made that year.

Chart 2. State/Federal Profit/Loss at Various Support Collection Amounts, and AFDC Matching Rates



Note: When a family's income, including child support payments, makes the family ineligible for AFDC benefits, future support payments are paid to the family, and the Federal/State distribution of collections no longer applies.

Source: Congressional Research Service. Education and Public Welfare Division.

Table 8 and chart 3 show that during the period 1979-1988, the CSE program has produced net revenue for the States but caused a significant cost to the Federal Government. The States' share of collections has exceeded their share of administrative costs in each year, but the Federal share of collections has fallen increasingly short of their share of administrative costs. Net Federal costs have risen sharply from $42.6 million in FY 1979 to $357 million in FY 1988, a real increase of 414 percent (constant 1988 dollars). Although the difference between the State share of CSE collections plus incentive payments, minus the State share of administrative expenditures, "State savings," increased in current dollars, from $243.5 million in FY 1979 to $381 million in FY 1988, there was a 4 percent decrease in constant 1988 dollars.

In FY 1988, only five jurisdictions (the District of Columbia, Guam, Puerto Rico, Tennessee, and the Virgin Islands) did not achieve a savings from their CSE program.[83] Moreover, in that same year, in only five States (Indiana, Iowa, Maine, Montana, and Vermont)[84] was the Federal share of child support savings positive. Despite the discussion above about breakeven points, it is not clear why these five jurisdictions did not recover their costs from the CSE program, nor why the Federal Government recovered its costs in the five other States (mentioned above).

Table 8 also shows that net public savings from the CSE program declined 88 percent, from $200.9 million in FY 1979 to $24 million in FY 1988 (a drop of 93 percent in real value), even though total CSE collections more than doubled during the same period. In addition, table 8 shows public savings dropping 67 percent from FY 1984 to FY 1985. This sudden decrease in public savings primarily was caused by the provision in 1984 law, first effective in FY 1985, requiring that up to the first $50 received by the CSE agency on behalf of an AFDC family be "passed through" to the family without affecting their eligibility for AFDC or AFDC benefit payments.[85] In

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[83]The Federal matching rates for AFDC benefits in these jurisdictions were: District of Columbia, 50 percent; Guam, 75 percent up to capped amount; Puerto Rico, 75 percent up to capped amount; Tennessee, 70.64 percent; Virgin Islands, 75 percent up to capped amount.

[84]The Federal matching rate in these States were: Indiana, 63.71 percent; Iowa, 62.75 percent; Maine, 67.08 percent; Montana, 69.40 percent; and Vermont, 66.23 percent.

[85]The $50 required pass-through to the AFDC recipient raises the amount that a State must collect in order to recover administrative costs. For the State in example 1 above (with a Federal AFDC benefit matching rate of 50 percent and assumed administrative costs of $100 per case) the pass-through reduces the State breakeven by $44. That is, in the absence of the $50 pass-through the State's breakeven level would be $61 (a collection/cost ratio of 0.61). It would break even if it collected *less* than $1 for each $1 in administrative costs.

FY 1985, about 3.5 percent of CSE collections, $93.8 million, went to AFDC families (pursuant to the $50 "pass through" rule). In FY 1986, $242.6 million was passed through to AFDC families, in FY 1987 the amount passed through was $251.8 million, and in FY 1988, the amount was $263 million.

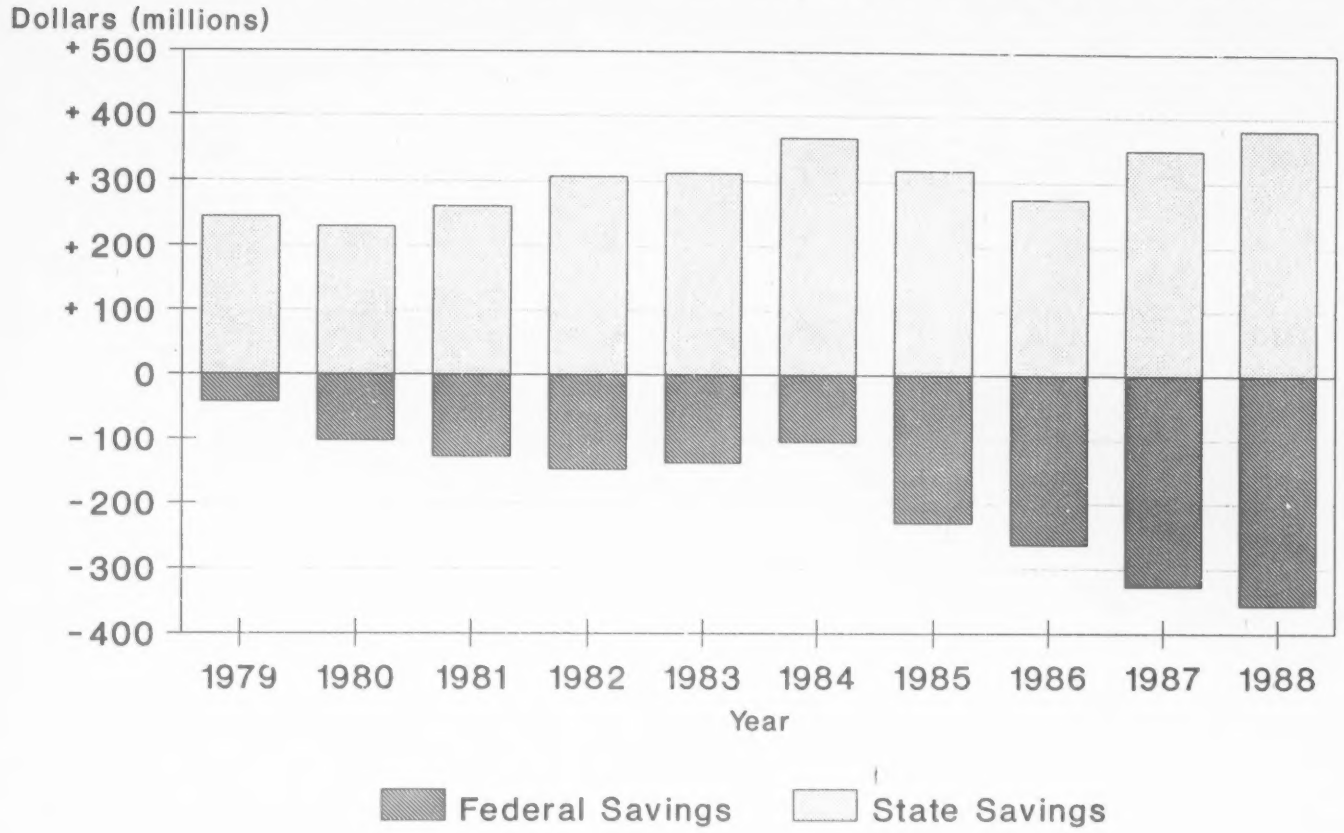
TABLE 8. Federal and State Share of Child Support "Savings," FY 1979-1988

Fiscal year	Federal share of child support savings[a]	State share of child support savings	Net public savings
1979	-$ 42,600,730	+$243,541,030	+$200,940,300
1980	-102,697,923	+230,152,111	+127,454,188
1981	-128,376,697	+260,968,821	+132,592,124
1982	-147,946,353	+307,308,793	+159,362,440
1983	-138,078,381	+312,296,262	+174,217,881
1984	-105,048,094	+365,521,714	+260,473,620
1985	-230,888,201	+317,334,452	+86,446,251
1986	-264,337,771	+273,781,497	+9,443,726
1987	-327,376,219	+349,467,733	+22,091,514
1988	-357,000,000	+381,000,000	+24,000,000

[a]Negative "savings" are costs.

Source: U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. Annual Reports to Congress, various years.

Chart 3. Federal and State Share of Child Support "Savings," FY 1979-1988



Note: Negative "savings" are costs.
Source: Annual Child Support Enforcement Reports to Congress, various years.

As mentioned earlier, the Senate Finance Committee expected the reduction in the Federal matching rate for CSE administrative costs to result in an "increased stake by the States in this program" and a closer "scrutiny of expenditures of scarce dollars." Despite the lower Federal cost-sharing rate, however, the Federal Government has continued to suffer a deficit ($357 million in FY 1988) and the States have continued to achieve a profit ($381 million in FY 1988) in the CSE system. Some question whether States have sufficient incentive to minimize costs, most of which are paid by the Federal Government.

However, others argue that the intangible benefits of the CSE program make it worthwhile, despite considerations of cost-effectiveness.[86] It is a fact that a large segment of the program, namely the non-AFDC component, by definition, provides no direct savings to the States or the Federal Government. Nevertheless, the non-AFDC component of the CSE program can achieve welfare cost avoidance in the following ways:

- *by providing non-AFDC families with additional income sufficient to make them decide not to apply for public assistance (AFDC, food stamp, or Medicaid), even though eligible;*

- *by making non-AFDC families ineligible for public assistance and by continuing to make these families ineligible by reason of income; and*

- *by reducing the benefit levels of non-AFDC families who do receive public assistance benefits.*[87]

One study that examined welfare cost avoidance of the non-AFDC component of the CSE program found that it could not draw any firm conclusions but made the following observations.

- *The majority of non-AFDC clients do not go on public assistance even if they do not receive child support.*

- *There is definite evidence that the IV-D [CSE] non-AFDC program is reducing the amount of public assistance being received in cases where the client does receive public assistance.*[88]

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[86]Maximus, Inc., *Evaluation of the Child Support Enforcement Program*, p. ES-5 and ES-6.

[87]Ibid., p. III-1.

[88]Ibid., p. III-40.

A more recent study indicated that there was $1 in indirect savings, or welfare cost avoidance, for every $5 in child support collections made on behalf of non-AFDC families.[89]

It also should be noted that once the CSE system "matures" (i.e., once the majority of existing cases have child support orders), the cost-effectiveness of the system probably will improve. Moreover, because the benefits of establishing paternity or a child support award occur in future years as well as the current year, a static, point-in-time, analysis of costs and collections fails to account for the complexity and dynamic nature of the CSE system.

PERFORMANCE OF CURRENT SYSTEM

Since it began in August 1975, the CSE program has seen tremendous growth. The OCSE annual reports show CSE collections rising from $512 million in FY 1976 to $4.6 billion in FY 1988, a real increase of 328 percent (constant FY 1988 dollars). In the same period the total administrative cost of the program increased from $138.9 million in FY 1976 to $1.171 billion in FY 1988, a real increase of 300 percent (constant FY 1988 dollars). In FY 1976, child support collections made on behalf of AFDC families made up nearly 40 percent of total collections. In FY 1988, CSE collections on behalf of AFDC families made up 32 percent of total child support collections. In FY 1988, the CSE program provided approximately $381 million in revenue to State and local treasuries (the States' share of AFDC collections minus costs, combined with incentive payments to the States from the Federal Government), but cost the Federal Government $357 million. In addition, the annual reports show the number of paternities established rising from 68,000 in FY 1977 to 306,000 in FY 1988, an increase of 350 percent. During that same period, the number of legally enforceable child support orders established by the CSE agency increased from 183,000 to 866,000, a rise of 373 percent. In FY 1988, child support payments were collected on behalf of 615,000 AFDC families, up from 458,000 in FY 1978. In FY 1988, collections were made on behalf of 1,067,000 non-AFDC families, up from 249,000 in FY 1978. (See table 9.)

In FY 1988, the average annual CSE caseload was 11.1 million persons. The AFDC component of the CSE program represented almost 52 percent of

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[89] *Estimates of Cost Avoidance Attributable to Child Support Enforcement*, Advanced Sciences, Inc., Arlington, Va., and SRA Technologies, Alexandria, Va., June 1987 [in] U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Child Support Enforcement Statistics, Fiscal Year 1988. Thirteenth Annual Report to Congress for the Period Ending September 30, 1988*, v. I, Dec. 1988. [Advance Copy] [Hereafter cited as *Estimates of Cost Avoidance Attributable to Child Support Enforcement* [in] *Thirteenth Annual Report to Congress*]

the caseload. A CSE case is defined as every noncustodial parent who is now or may eventually be obligated under law for the support of one or more dependent children. Thus, in FY 1988, there were 5.7 million AFDC CSE cases, but only about 3.5 million AFDC parents (potentially eligible for support payments on behalf of their children). In other words, a woman who has children by more than one man would be counted the appropriate number of times in the CSE caseload. A collection was made in only 16.8 percent of 11.1 million cases. The percentage of AFDC cases with a collection was 10.8 percent; for non-AFDC cases, the percentage was 29.9 percent. (See table 9.)

In FY 1976, a sum of $3.68 was collected for every $1 of administrative expense. That sum dropped to a low of $2.89 in FY 1983, but has since climbed steadily but slowly, reaching $3.94 in FY 1988, 7 percent above the 1976 level. (The ratio of CSE collections on behalf of AFDC families to total administrative costs in FY 1988 was 1.27; the ratio for non-AFDC families was 2.67.) Moreover, the most recent Census Bureau report on child support and alimony (1985 data) indicates that 4 out of every 10 mothers had *no* child support award and, hence, were dependent for the support of their children on sources other than the fathers of the children. Among mothers below the poverty level, the proportion not awarded child support was even larger, 60 percent. Of the women due payment in 1985, 48 percent received full payment, 26 percent received partial payment, and 26 percent received no payment. The Census Bureau reports that the aggregate amount of child support payments due in 1985 was $10.9 billion, but that actual payments received during that year amounted to only about $7.2 billion. The 13th annual OCSE report indicates that, in FY 1988, $18.6 billion in child support payments was owed to families receiving CSE services ($6.4 billion in current support and $12.2 billion in arrearages), but actual collections amounted to $4.4 billion (23 percent of the total owed). (Note: Comparable data were not available for FY 1985.) Further, several academic studies conclude that fathers have the ability to pay from $24 to $30 billion annually in child support payments.[90]

Of the 3.2 million women who received child support for their children in 1985, the average amount of payment was $2,215. The corresponding average in 1978, after adjusting for inflation (constant 1985 dollars), was

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[90]U.S. Dept. of Health and Human Services. Social Security Administration. Office of Child Support Enforcement. *Estimates of National Child Support Collections Potential and the Income Security of Female-Headed Families*. Bush Institute for Child and Family Policy, University of North Carolina at Chapel Hill, Grant No. 18-P-00259-4-01. Washington, 1985. 95 p. [Hereafter cited as U.S. Dept. of Health and Human Services, *Estimates of National Child Support Collections Potential*]

Garfinkel, Irwin, and Donald Oellerich. *Noncustodial Fathers' Ability to Pay Child Support*. Unpublished paper, 1988. 37 p. [Hereafter cited as Garfinkel and Oellerich, *Noncustodial Fathers' Ability to Pay Child Support*]

$2,966. This represents a 25 percent decrease in average child support payments over the period 1978-1985. A recent study concludes that average child support award levels also decreased in real terms by 25 percent. The study suggests that four factors contributed to the drop in average child support awards over this period: demographic changes, inflation, increased relative earnings of women, and increased exposure to the CSE program. The increase of relative earnings of women during this period was found to be the most significant factor behind the decrease in child support awards. The author of the report made the following remarks about the report's policy implications.

> *First, these findings help reconcile the apparently contradictory evidence that the Child Support Enforcement program has become more effective over time while the CPS* [Current Population Survey] *data on child support indicate a worsening of the child support situation of American families. Second, the results add credence to the notions that a variety of factors influence child support award levels and that these factors have been changing in different ways during recent years. Third, the results suggest that it is dangerous to draw policy implications based on the net overall decline in awards, because the implications associated with each factor are quite different.*[91]

It also should be noted that Federal legislation, enacted in 1984 and 1987, authorized two alternative CSE programs. The 1984 CSE amendments required the Secretary of DHHS to grant waivers to the State of Wisconsin to permit implementation of the State's Child Support Assurance System, as long as there were no increase in Federal AFDC costs and children in need of support were not disadvantaged.

> *Under a Child Support Assurance System, all parents living apart from their children are obligated to share their income with their children . . . . In Wisconsin this rate is equal to 17 percent of the noncustodial parent's gross income for one child, and 25, 29, 31, and 34 percent respectively for two, three, four, and five or more children . . . . Children with a legally liable noncustodial parent are entitled to benefits equal to either the child support paid by the noncustodial parent or a socially assured minimum benefit, whichever is higher. Should the noncustodial parent pay less than the assured benefit, the difference is paid by the state. Finally, in order to make work even more attractive, one other provision has been added to the Wisconsin plan. Low-income custodial parents are compensated for*

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[91]Robins, Philip K. *Why Are Child Support Award Amounts Declining?* IRP Discussion Papers, no. 885-89. University of Wisconsin, Madison, Institute for Research on Poverty, June 1989. p. 26.

work expenses, such as child care, at the rate of $1 per hour worked for one child and $1.75 for two or more children.[92]

The percentage-of-income standard became the presumptive child support obligation in Wisconsin in July 1987. Immediate wage withholding became operational statewide in August 1987.

In 1987, Federal law (P.L. 100-203) authorized a child support demonstration program in New York State, for a period not to exceed 5 years, pending the Secretary of DHHS' approval of the State application, and assurances of (1) continued financial assistance to all eligible children in the State, (2) the continued operation of an effective child support program, (3) an evaluation of the program using a reasonable methodology, and (4) reports of interim findings to the Secretary as required. The State of New York began operating its Child Assistance Payment (CAP) program in October 1988. As of October 1989, 8 counties had implemented the program, and preliminary data indicated that 500 persons were participating in the program.

The CAP is based on the number of eligible children. Food stamp benefits are cashed out and added to the CAP. In addition, AFDC special needs payments of up to $160 per month per child are available to recipients for child care expenses (if the child is in licensed day care, additional funding may be available). If the recipient's earnings are below the poverty level, the CAP is reduced by 10 cents for each dollar earned; for earnings above the poverty level, the CAP is reduced by 67 cents for each dollar earned. There is no resource limit in the CAP program, and persons whose earnings make them ineligible for the CAP receive up to 4 months of transitional Medicaid benefits.

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[92]For more information on Wisconsin's child support initiative, see Garfinkel, Irwin. The Evolution of Child Support Policy. University of Wisconsin, Madison, Institute for Research on Poverty, *Focus*, v. 11, no. 1, spring 1988. p. 13-14.

TABLE 9—PROGRAM OPERATIONS, SUMMARY OF NATIONAL (FEDERAL AND STATE) STATISTICS, FISCAL YEARS 1978–88

[Numbers in thousands, dollars in millions]

	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Total child support collections	$1,047	$1,333	$1,478	$1,630	$1,770	$2,024	$2,378	$2,696	$3,246	$3,917	$4,612
Total child support collections (1987 $) [1]	$1,842	$2,128	$2,077	$2,061	$2,085	$2,303	$2,598	$2,843	$3,338	$3,917	$4,431
Total AFDC collections [2]	$472	$597	$603	$671	$786	$880	$1,000	$1,092	$1,225	$1,349	$1,484
AFDC collections:											
Federal	311	244	246	266	311	349	402	341	389	413	448
State	148	274	274	302	354	396	448	415	424	473	524
Total non-AFDC collections	$575	$736	$874	$958	$984	$1,144	$1,378	$1,604	$2,019	$2,569	$3,128
Total administrative expenditures	$312	$383	$466	$526	$612	$691	$723	$814	$941	$1,066	$1,166
Administrative expenditures:											
Federal	236	287	349	394	459	487	507	571	633	750	801
State	76	96	117	132	153	204	216	243	308	316	365
Federal incentive payments to States and localities	$54	$66	$72	$90	$107	$121	$134	$131	$158	$185	$223
Average number of AFDC cases in which a collection was made	458	463	503	548	597	595	647	684	582	609	613
Average number of non-AFDC cases in which a collection was made	249	224	243	325	448	507	547	654	786	934	1,067
Number of families removed from AFDC due to child support collections	19	27	40	46	32	26	41	34	*287	194	192
Number of parents located	454	574	643	696	779	831	875	878	1,046	1,145	1381
Number of paternities established	111	138	144	164	173	208	219	232	245	269	312
Number of support obligations established	315	349	374	414	462	496	573	669	731	812	863
Percent of AFDC assistance payments recovered through child support collections	([3])	5.6	5.2	5.2	6.8	6.6	7.0	7.3	8.6	9.1	9.7
Total child support collections per dollar of total administrative expenses	$3.35	$3.48	$3.17	$3.09	$2.89	$2.93	$3.29	$3.31	$3.46	$3.68	$3.95

[1] Adjusted for inflation using CPI.
[2] AFDC collections are divided into State/Federal shares and incentives are taken from the Federal share thereby reducing the Federal amounts.
[3] Not available.
[4] Definition changed to all cases closed where a child support payment was received.

Source: U.S. Congress. House. Committee on Ways and Means. Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means. 1989 Edition. Committee Print, 101st Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1989. p. 638-39.

(Note: The text of the report uses revised FY 1988 data.)

Role of Automated Systems

In 1980, Congress authorized 90 percent Federal matching funds on an open-ended basis for CSE automated data systems, instead of the regular program rate (75 percent in 1980, 66 percent in FY 1990 and years thereafter). Funds go to States that elect to establish an automated data processing and information retrieval system designed to assist management in the administration of the State plan, so as to control, account for, and monitor all factors in the support enforcement, collection, and paternity determination process. Funds may be used to plan, design, develop, and install or enhance the system. The Secretary of DHHS must approve the system as meeting specified conditions before matching is available.

In 1984, Congress made the 90 percent rate available to pay for the acquisition of computer hardware and necessary software. The 1984 legislation also specified that if a State met the Federal requirement for 90 percent matching, it could use its 90 percent matching funds to pay for the development and improvement of income withholding and other procedures required by the 1984 law.

In May 1986, the OCSE established a transfer policy requiring States seeking the 90 percent Federal matching rate to transfer existing automated systems from other States rather than to develop new ones, unless there were a compelling reason not to.

In 1988, Congress required States without comprehensive statewide automated systems to submit an advance planning document to the OCSE by October 1, 1991, for the development of such systems. All State systems must be approved as fully operating by October 1, 1995, at which time the 90 percent matching rate is to end. The new law allows many requirements for automated systems to be waived under certain circumstances. For instance, the DHHS Secretary may waive a requirement if (1) a State demonstrates that it has an alternative system enabling it to substantially comply with program requirements or (2) a State provides assurance that additional steps will be taken to improve its program.

The GAO has reported that as of May 1988, 37 States were seeking or receiving the 90 percent Federal matching rate for systems automation, 15 States were automating without the 90 percent Federal match (i.e., at the regular program match), and that Montana and Guam had no plans to develop comprehensive, statewide systems, but reported using automation for some CSE activities.[93]

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[93]U.S. General Accounting Office. *Child Support: State Progress in Developing Automated Enforcement Systems*; Fact Sheet for Congressional Requesters. GAO/HRD-89-10FS, Feb. 1989. Washington, 1989. p. 8.

Of the 37 States with enhanced (90 percent) funding or seeking enhanced funding, 17 were using or planning to transfer a system from another State, 9 had completed or were completing systems that were begun before the OCSE's transfer policy took effect, 9 were improving their existing systems, and 2 (New Hampshire and Maine) were receiving a Federal demonstration grant to develop a new system, which the OCSE hopes can ultimately be transferred to other States.

The GAO reported that of the 15 States automating without the enhanced funding, 4 were considering seeking such funds. It said 11 were using regular program funds because:

- obtaining enhanced funding was not seen by the States as worth the time and effort (5 States);
- not all counties and courts were or would be included in a single automated system with uniform software, which disqualified them for enhanced funding (4 States); or
- enhanced funding had been stopped because the OCSE did not believe sufficient progress had been made (2 States).

According to the GAO report, States that develop automated systems with regular program funds also must obtain advance approval by the OCSE for expenditures that exceed $200,000. The GAO reported that oversight of system acquisition and operation under the regular program funding is less stringent than that of systems with enhanced funding.[94]

Impact of Child Support Enforcement on AFDC and Poverty Status

For the 4.4 million women due child support payments in 1985 (including the 1.1 million women who did not receive any payment), the average annual amount of child support owed was $1,640. The average annual amount of child support for the 3.2 million women who received child support payments was $2,215. If the full amount of payment due had been made to all women owed child support, the average annual amount would have been $2,495. (The average AFDC benefit in 1985 was about $4,100.) In 1985, 905,000 (32 percent) of the 2.8 million women raising children alone with incomes below the poverty level were supposed to receive child support payments. If full payment had been made to those 905,000 women, 104,000 (3.7 percent of the 2.8 million and 11.5 percent of the 905,000) of them would have received enough income from child support payments to put them above the poverty level. This assumes that none of those poor women was a recipient of AFDC. For those receiving AFDC, the maximum they can receive in the form of child support payments (via the CSE agency) is $50 monthly.

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[94]Ibid., p. 8-11.

It is clear from the above illustration that the low level of child support awards due in 1985 limited the CSE program's antipoverty impact. Only if a much higher percentage of mother-child families received support awards, as a result of improved cooperation of custodial parents and more expedited processes, in larger amounts, as a result of adequate support guidelines and keeping orders up to date, and only if these support orders were enforced diligently, might the CSE program enable a larger number of mothers and children to leave poverty (and/or AFDC). Even so, the antipoverty effectiveness of the CSE program still might be marginal for some families, given that Census Bureau data indicate that even being a member of a two-parent family is no guarantee against poverty. In 1987, 7 percent of white *two-parent* families with children under age 18 had incomes below the poverty level; 13.6 percent of black two-parent families were poor. This means that being in a two-parent family is not as much of a protection against poverty for blacks as it is for whites. Since the costs of achieving a moderate standard of living are sometimes higher for two households than for one, when a family breaks up, the father may have less money available to contribute to the support of his children. Thus, because the poverty rate of black children is relatively high even in two-parent families, the potential of child support for reducing the poverty rate of black children may be especially limited.

In 1985, $10.9 billion in child support payments were due, but actual payments totaled $7.2 billion. This meant that $3.7 billion or 33 percent of collections owed in 1985 went unpaid. While the almost $11 billion owed in child support in 1985 is a substantial amount, two basic studies indicate that fathers have the ability to pay from $24 to $30 billion annually in child support.[95] One study points out that the size of the estimate of the total amount that noncustodial fathers can afford to contribute to their children's maintenance ($26.6 billion annually) says nothing about the distribution of this money by income group. The study indicates that children whose fathers are in the highest income quintile would receive 46 percent of the $26.6 billion and that those whose fathers are in the lowest quintile would receive 3 percent of the $26.6 billion.[96] However, another study based on data from the Panel Study of Income Dynamics, which covers divorces and separations during the period 1968-1981, indicates that poor children have not necessarily had poor fathers, and that increased child support payments from the absent fathers could substantially reduce their years of poverty. The study states that "the largest portion of the times when the custodial mother's family is poor are times when the absent father has enough income to keep himself and any new family he has formed out of poverty." This report concludes that if

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[95]U.S. Dept. of Health and Human Services, *Estimates of National Child Support Collections Potential*; and Garfinkel and Oellerich, *Noncustodial Fathers' Ability to Pay Child Support*.

[96]Haskins, Ron, and others. How Much Child Support Can Absent Fathers Pay? *Policy Studies Journal*, v. 14, Dec. 1985. p. 219.

increased child support payments merely replace welfare support, many childhood years would remain years of poverty.[97] It is important to remember that this study is based on data on divorced and separated couples only; whether such findings would apply to children whose parents had never married is not known. In short, it appears that child support payments per se are unlikely to lift the majority of families out of poverty or eliminate the need for welfare programs. Some of the reasons for this finding are (1) the absence of support awards in a large number of cases, (2) nonpayment or underpayment of existing awards, and (3) low award levels relative to the income of noncustodial parents.

Although the antipoverty potential of the CSE program is limited and difficult to estimate, it is clear that child support payments could have a large impact on AFDC costs. In FY 1988, the sum collected by the CSE agency from AFDC parents equalled 9.7 percent of AFDC benefits. Researchers say that this overstates the impact of the CSE program, inasmuch as AFDC mothers would have collected some support if there were no CSE program and they were not required to give their child support rights to the welfare agency. One researcher estimates that only about 25 percent of the gain can be attributed directly to the CSE program.[98] (This figure, applied to FY 1988, leads to the estimate that if there had been no CSE program that year, mothers would have collected a little more than 7 percent of AFDC benefits, compared to the actual sum of 9.7 percent collected by the CSE agency.) The researcher said that if a successful system of mandatory wage withholding were adopted and greater efforts made to establish obligations, the CSE program might recover between 15 percent and 20 percent of total AFDC benefit expenditures.[99] The OCSE annual FY 1988 data show 11 States recovering at least 15 percent of total AFDC benefit payments through the efforts of the CSE program (on average, these are relatively smaller States with low AFDC benefit levels). In FY 1988, the OCSE reported that 197,699 families were removed from the AFDC rolls because of child support collections. This represented 5.6 percent of the families enrolled in the basic (one-parent) component of the AFDC program that year.

In addition, there is much research that indicates that child support payments could help reduce the severity of poverty for many non-AFDC children even if it did not end their poverty.

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[97]Hill, Martha S. *The Role of Economic Resources and Dual-Family Status in Child Support Payments*. Institute for Social Research, University of Michigan, revised May 1988. p. 13-16.

[98]Robins, Philip K. Child Support, Welfare Dependency, and Poverty. *American Economic Review*, v. 76, Sept. 1986. p. 786.

[99]Ibid., p. 786.

MAJOR ISSUES

The CSE system has come a long way. In 1934, the American Law Institute's *Restatement of the Law of Conflicts* characterized support obligations and their enforcement as "of no special interest to other states . . . ."[100] In 1950, many States adopted the Uniform Reciprocal Enforcement of Support Act (URESA), which attempts to provide consistent statutory provisions for the establishment and enforcement of interstate support orders. In 1950, Congress adopted the first Federal legislation related to child support. This amendment required State welfare agencies to notify appropriate law enforcement officials upon the furnishing of AFDC to a child who had been deserted. In 1975, Congress passed legislation that required States to provide the following services to both AFDC and non-AFDC families: location, paternity establishment, establishment of support orders, and collection. In 1984, Congress changed the funding rules of the CSE program to give States financial incentives to make collections on behalf of both non-AFDC and AFDC families, instead of continuing to base incentives solely on collections on behalf of AFDC families. The 1984 law also required States to implement laws to use specified enforcement procedures, such as mandatory wage withholding for delinquent cases. In 1988, Congress passed legislation that requires States to establish the paternity of a specified proportion of children served by the CSE program, starting October 1, 1991. The 1988 law also requires immediate withholding from wages of child support orders issued or modified on behalf of AFDC and non-AFDC children whose parents apply to the CSE agency for services (effective November 1, 1990); beginning January 1, 1994, every parent who is ordered to pay child support (including those outside the CSE system) is to have the amount withheld from his paycheck immediately and automatically, like payroll taxes. In addition, the 1988 law requires judges and other officials to use State-established guidelines for minimum child support awards unless they write into the court record why they awarded less.

It now appears that the machinery necessary for an effective CSE system is in place. But questions still linger. They are questions about the role of child support in terms of the welfare system, the ability of child support to reduce welfare dependency and poverty, the ability of noncustodial parents to pay child support, the importance of establishing paternity, the means by which States establish child support orders, the ability of the CSE agency to effectively enforce support orders in interstate cases, and whether visitation rights and child support payments should be linked. This section discusses these issues and others. Many of the issues are discussed in terms of three of the four services provided by the CSE program: paternity establishment, establishment of support orders, and collection of support.

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[100]Krause, Harry D. Child Support Enforcement: Legislative Tasks for the Early 1980s. *Family Law Quarterly*, v. 15, winter 1982. p. 349. [Hereafter cited as Krause, Child Support Enforcement]

Establishing Paternity

Since the enactment of the 1975 CSE program, there has been a growing concern for children born outside of marriage. In fact, the full name of title IV-D of the Social Security Act is "Child Support and Establishment of Paternity." The perceived need for Federal involvement in child support enforcement arose in part from changes in the characteristics of AFDC families. The AFDC program provides cash payments to needy families in which one parent is dead, absent, incapacitated, or (in States that have chosen the option) unemployed. Beginning in October 1990, States will be *required* to provide cash payments to the latter group--needy two-parent families whose principal earner is unemployed (for at least 6 out of 12 months in States where the program is new). When the AFDC program began in 1935, death of a parent was the major cause of eligibility, and in 1940 it accounted for 42 percent of the AFDC caseload. By 1987, only 1.8 percent of AFDC children were eligible because their father was dead, and 86.7 percent qualified on grounds of their father's absence from the home (e.g., divorced or separated from the mother or never married to the mother). The data indicate that the largest single factor accounting for the increase in the AFDC rolls is the never-married status of the mother. In 1987, 50 percent of the fathers of AFDC children were not married to the mothers.[101]

Births outside of marriage often place a financial burden on taxpayers (via the public assistance programs). In addition, it deprives many children of economic, psychological, and social benefits. One scholar stated,

> *All abandoned children are in the same straits regarding their need for support and to locate an absent parent. The child of unmarried parents, however, struggles against the further obstacle of uncertain paternity and a long (though fortunately nearly lost) tradition of legal discrimination. Within the context of the child support enforcement problem, special emphasis thus must be placed upon those children who, in addition to locating their father and making him pay, must first identify him legally.*[102]

The section of the paper on paternity establishment describes in detail provisions that were enacted in 1984 and 1988. Some questions that arise from those amendments are: (1) Does the incentive formula, which provides higher payments to States depending on their collection/cost ratios, encourage States to focus on the cases they view as easier to collect (which in many

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[101]The 1987 data are based on the DHHS AFDC Quality Control case sample.

[102]Krause, Harry D. *Child Support in America*. 1981. p. 103; quoted in U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. National Institute for Child Support Enforcement. *Paternity Establishment*, 2d ed. Washington, 1985. p. 1.

cases could translate into those where paternity is known)? (2) Does the exclusion of costs associated with paternity blood tests in determining administrative costs counter any tendency of the State to choose nonpaternity cases over paternity cases? and (3) How will the new paternity requirements affect States with high percentages of out-of-wedlock births?

Few CSE programs are funded at levels high enough to enable them to handle every case equally. As a result, most CSE agencies permit staff to work on cases on the basis of a priority system. In September 1984, DHHS (under its administrative prerogative) gave States the authority to "prioritize" their CSE caseloads. The regulations governing priority handling of cases direct States to include all cases, i.e., AFDC cases, non-AFDC cases, and interstate cases and to ensure that their system does not systematically exclude any CSE service.

Nevertheless, some observers maintain that there are many jurisdictions where low priority is given to paternity cases, especially cases involving young unwed fathers, because collections may be lower and administrative costs higher than in other child support cases and because some child support officials may believe that time spent on such cases could reduce their State incentive payments. The Ways and Means Committee, aware that the incentive payment formula could be a disincentive to vigorous paternity efforts, especially in jurisdictions where a high percentage of child support cases involve paternity determinations, stated in its report on the 1984 CSE amendments that the provision allowing States to subtract out amounts spent on laboratory tests to determine paternity in calculating administrative costs for purposes of the incentive payment was intended to reduce any negative effects of the formula. Data are not available on the number of States that have chosen to exclude laboratory costs from administrative expenditures for purposes of the incentive payment. Some observers have suggested that the incentive payment formula be redesigned to include special payments based on the proportion of paternities and child support orders established in addition to collections. In addition, several observers contend that the 1988 provisions requiring "prompt" service will increase the number of paternities established.[103]

With regard to the third question, the provision does not go into effect until October 1, 1991, thus, information is not yet available.

A fourth question is: Are alleged fathers receiving due process? Many CSE officials maintain that a high percentage of alleged fathers admit paternity voluntarily at CSE interviews before the blood test or trial. In a 1982 article, one scholar asked, " . . . how many of these men are truly the fathers?" and "What causes these men to admit paternity so freely and incur

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[103]Based on conversations with OCSE officials.

eighteen years of support liability?"[104] In light of recent efforts to reduce the time it takes to process paternity cases and recent legislation "encouraging" States to implement simple civil procedures for acknowledging and establishing paternity, it is important that the obligation that these men are incurring be explained to them before they sign any binding documents.

Some observers suggest that the role of paternity establishment (and location of the father) in the CSE program should be of primary concern. They maintain that the social, psychological, and financial benefits of having one's father legally identified are irrefutable. They suggest that paternity should be established, regardless of the ability of the father to pay child support. They argue that the role of both parents is critical in building the self-esteem of their children and helping them become self-sufficient members of the community.[105]

Establishing Child Support Awards

Since the receipt of child support payments is almost totally dependent on having a child support award or agreement, it is significant that the most recent data available (1985) indicate that nearly two out of every five women living apart from their child's father have never had a child support agreement. Further, the majority of those who are awarded child support receive less support than they are owed (26 percent, 1985 data) or no payments at all (26 percent). The picture becomes even bleaker: those especially unlikely to have an agreement are blacks, mothers who have never married, and mothers with low levels of education--groups with high probabilities of being poor and/or on welfare.

The most recent Census Bureau report on child support and alimony indicates that of the 3.4 million women who had *no* award of child support in 1985: 10 percent had a final agreement pending; 2 percent chose a property settlement in lieu of child support payments; 3 percent were granted joint custody; 37 percent did not want child support;[106] almost 32 percent were unable to locate the father; 3 percent were unable to establish paternity;

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[104]Krause, Child Support Enforcement, p. 363.

[105]Wattenberg, Establishing Paternity for Nonmarital Children, p. 10.

[106]It appears that many women do not want child support for their children. This is surprising, but corresponds to the view of some that they would rather forego child support payments than have to be in contact with the children's father. However, for AFDC mothers, it is irrelevant whether or not they want child support. The CSE agency is required to make every effort to establish an order on their behalf unless it would not be in the best interest of the child. In FY 1988, 8,198 AFDC mothers refused to cooperate with the CSE agency in establishing paternity and/or securing child support; 62 percent of these "good cause" cases (5,096) were found by the AFDC agency to be valid.

and 14 percent wanted a support award but were unable to get it because of some unspecified reason. A 1987 GAO report judged that efforts by the CSE agency on behalf of 42 percent of the AFDC children (in the sample) who needed paternity determinations and/or support orders were inadequate, often because of poor case management practices at the local AFDC and child support agencies. Of the 1,578 AFDC children in the sample, 699 (44 percent) would need paternity established and a support award established, and 447 (28 percent) needed support orders only.

Another set of issues concerns the amount of the child support obligation. First, how should the income of the noncustodial parent be allocated between first and subsequent families? Some observers maintain that the obligation to the first family should take precedence over support obligations to a subsequent family. This in fact has traditionally been the approach taken by State law; it has considered the needs of the prior family first and either ignored or discounted the father's new responsibilities. Many courts have ruled that creation of a new family is a voluntary act and that the noncustodial parent should decide whether he can meet existing support responsibilities and provide for new ones before taking that step. The situation has been summarized as follows:

> *Traditionally, the courts have taken the position that the father's prior child support obligations take absolute precedence over the needs of the new family. They have disregarded the father's plea that his new responsibilities are a "change in circumstance" justifying a reduction in a prior child support award or at least averting an increase.*[107]

Further, in presenting its rationale for the 1975 CSE program, the Senate Finance Committee report stated,

> *. . . as an effective support collection system is established fathers will be deterred from deserting their families to welfare and children will be spared the effects of family breakup.*

Other observers say that both families should be treated equally. One scholar has stated that "if discrimination on the basis of illegitimacy is not permissible, discrimination on the basis of priority seems equally untenable."[108]

Persons opposing differential treatment point out that when there are inadequate funds to provide for both families, a policy of preferring the first family may result in a parent's disregarding the support obligation to the first

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[107]Harry D. Krause. *Child Support in America: The Legal Perspective*. 1981. p. 20; quoted in U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Development of Guidelines for Child Support Orders*. Washington, 1987. p. II-51.

[108]Krause, Child Support Enforcement, p. 357.

family in order to provide for the new family, or a parent's observing the support obligation to the first family by forcing the new family to live at a lower standard of living (which itself may strain the new family's bonds).[109] Further, data show that when the mother remarries, child support payments are likely to decrease. It appears that some fathers consider their duty to their children ended when there is a stepfather in their former household. This raises another question: Should State-established child support award guidelines be uniform in how they treat stepparent income?

Second, should there be a minimum child support award level regardless of age or circumstance of the noncustodial parent? Some observers argue that all able-bodied noncustodial parents should be required to pay some level of child support, even if they are teenagers still in high school, unemployed persons, persons on welfare, or persons in jail or prison. They say that a minimum support payment even during times when the noncustodial parent is unemployed emphasizes the financial obligations of being a parent. Others maintain that it is unfair for a person with little or no mon[illegible] be ordered to pay support, thereby incurring a larger and larger arrearage because of his inability to pay. Still others favor placing upon the young father who has no current income a future obligation only.

Collecting Child Support Payments

Federal law requires States to establish the paternity of a specified proportion of children served by the CSE program, beginning in FY 1992. It also requires States to enact specified child support enforcement procedures; some have been in effect for several years, others have not yet taken effect. (One enforcement tool, the Federal income tax refund offset program, is scheduled to expire for *non-AFDC families* in 1991). Notwithstanding the Federal offset program, by the early 1990s all of the needed enforcement tools will be available for States to operate effective CSE programs. At that point, case management will become the issue. Clearly if the State has at hand the necessary means of collecting support payments, it is the duty of the State to choose the approach that accomplishes the goal. A side issue will be the effectiveness of the State's automated system: Does the State have a central clearinghouse or registry? How does it track cases?

The 1984 CSE law permits States to establish procedures under which child support payments are to be made through the CSE agency or another entity ("central clearinghouse") in any case where either the custodial or the noncustodial parent requests it, regardless of whether there is an arrearage that requires withholding.[110] The State must charge a fee (to the parent

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[109]Campbell and Kolker, *Child Support Guidelines*, p. 178.

[110]The reader should take note that many parents may choose not to have their child support payments made through the "central clearinghouse."

requesting the service) equal to the cost incurred by the State for these services, up to a maximum of $25 a year. This "central clearinghouse" could also maintain a record of collections and disbursements and a system of reporting support obligations owed, collected, and disbursed, and for notifying the appropriate source when payments are overdue. Proponents of a central clearinghouse argue that maintaining official records of child support payments made or missed in a central location would benefit the collection process in many ways: (1) the amount and dates of payments would be accurately and impartially monitored; (2) costly disputes that might require returning to court could be averted; and (3) the records might be the basis of prompt enforcement responses when arrearages occur. Opponents of the clearinghouse concept argue that many noncustodial parents want to maintain the link of directly paying their child support, and some oppose Federal intervention into what they see as a family matter. It appears that this argument will be moot in 1994, when every parent who is ordered to pay child support is to have the amount withheld from his paycheck immediately and automatically. Others say that, in effect, the State CSE agencies are clearinghouses for those who obtain services from the program.

Interstate Enforcement

Establishing and enforcing a child support order when the noncustodial parent and the dependent child live in different States seems to be one of the more intractable problems faced by the CSE program. A study of interstate child support collections asserts:

> *While the effective processing of the intrastate caseload is demanding and complicated, the handling of interstate cases is far more complex. Interstate processing requires numbers of individuals from multiple agencies in two or more jurisdictions to coordinate a variety of activities, communicate detailed information, and understand the varying policies and procedures followed by jurisdictions throughout the Nation to establish and enforce support obligations. Given the unique characteristics of the interstate caseload, it is not surprising that these cases appear to account for a significant portion of the nonpaying caseload.*[111]

The traditional interstate procedure most often used to establish and enforce interstate child support cases is the Uniform Reciprocal Enforcement of Support Act (URESA). URESA provides a uniform process for using the courts of another State without traveling to that State or becoming subject to the jurisdiction of that State for other purposes. URESA establishes a two-State legal proceeding. The URESA proceeding begins with the filing of a petition in a court in the custodial parent's State. The judge of that court

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[111]U.S. Dept. of Health and Human Services. *Interstate Child Support Collections Study*, p. xx.

reviews the pleadings to determine whether the allegations establish an existing duty of support and whether the noncustodial parent's State appears to have jurisdiction over the noncustodial parent. If the judge finds the allegations to be true, the proceeding is certified to the proper court in the noncustodial parent's State, where the support obligation is established and enforced. All of the States and the District of Columbia have adopted URESA, but some States have modified or omitted certain sections of the Act in order to comply with existing procedures and enforcement techniques. The amendments to and revisions of the Act have been adopted by some States and not by others. Hence, the effectiveness of URESA may depend upon the custodial parent's State's knowledge of the law and procedures in the noncustodial parent's State.[112] Two observers stated that the most obvious reasons for the poor results in URESA cases are:

- *Tradition, Expediency, and Systemic Inertia. Most of the interstate child support enforcement community, including the courts, is dependent on the URESA procedure. In spite of the fact that the URESA system does not work well, the systems in place are designed to send and receive URESA actions. If other interstate remedies are to be used, a major overhaul of the interstate enforcement system may be necessary.*

- *Misconception and Misapplication of URESA. URESA is often viewed as a remedy to enforce a duty of support as defined by a prior existing order. However, undue reliance upon this concept has become justification for many common misapplications of the law.*

- *Failure to Consider, or Select, Alternative Remedies. Most jurisdictions do not take advantage of other interstate remedies, most of which may offer more rapid and more effective enforcement than URESA.*[113]

Another interstate remedy is long-arm statutes. In contrast to URESA, long-arm statutes in some instances allow the custodial parent's State to assert jurisdiction over a noncustodial parent living in a different State under certain conditions, provided that the noncustodial parent's right to due

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[112]U.S. Dept. of Health and Human Services, *Essentials for Attorneys in Child Support Enforcement*, p. 195-196.

[113]Weaver and Williams, *Problems With URESA*, p. 510.

process is protected.[114] In effect, long-arm statutes allow legal proceedings to take place in the custodial parent's State. Many States have long-arm statutes that can be used to establish support orders for out-of-State noncustodial parents. Fewer States have long-arm statutes that can be used to establish paternity.

The 1984 amendments contained several provisions aimed at improving interstate enforcement, including (1) mandating the use of such collection techniques as wage withholding, (2) requiring expedited processes under State judicial or administrative systems to establish and enforce child support, (3) providing incentive payments to the initiating State (where the custodial parent lives) and the responding State (where the noncustodial parent lives) for making collections on interstate cases, (4) requiring each State to establish a central registry responsible for receiving, distributing, and responding to inquiries on all incoming interstate CSE cases, including URESA petitions and requests for wage withholding in CSE cases, and (5) providing funds for interstate child support demonstration projects. Moreover, the 1988 amendments require States to establish automated statewide comprehensive case tracking and monitoring systems and mandate the establishment of a commission to study interstate child support establishment and enforcement. In addition, the OCSE has supported development of standardized forms to facilitate timely processing of interstate actions and a model interstate wage withholding act.

According to a GAO survey, the most frequently listed barriers to increased collections in interstate enforcement cases were insufficient staff, lack of automation, and differing policies and procedures among States.[115] Although it appears that Federal laws and Administration initiatives have responded to the mentioned barriers and others, CSE annual data show that in FY 1988 States reported using their CSE program to make collections on behalf of other States totaling $339.6 million ($107.7 million in support payment on behalf of AFDC families and $231.8 million on behalf of non-AFDC families). This figure represents only 7 percent of total FY 1988 CSE collections. On the other hand, in FY 1988, the total number of cases in which the collection was sent to another State represented almost 42 percent of all cases in which a support collection was made.

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[114]The due process clause of the 14th Amendment limits a State's jurisdiction over persons not in the State, to persons that have "minimum contacts with the State attempting to assert jurisdiction such that the maintenance of the suit does not offend traditional notions of fair play and substantial justice." U.S. General Accounting Office, *Interstate Child Support: Case Data Limitations, Enforcement Problems, Views on Improvements Needed*, p. 76.

[115]Ibid., p. 20.

Visitation Rights

Some analysts say that future Congresses might be drawn into the issues of visitation and custody, despite the intentions of the 98th Congress. P.L. 98-378, the Child Support Enforcement Amendments of 1984, required the Governor of each State to appoint a State Commission on Child Support, which was to report its findings and recommendations by October 1, 1985. One of the duties of the Commission was to examine the problems associated with visitation rights. The 1984 law also sets forth as the sense of the Congress that "State and local governments must focus on the vital issues of child support, child custody, visitation rights, and other related domestic issues that are properly within the jurisdiction of such governments." Some observers, however, maintain that by requiring States to use specified procedures to enforce child support, the Congress has already inserted itself into matters of family law to such a degree that it may be obligated by political forces and by a sense of fairness to respond to demands of noncustodial parents for action in the areas of visitation and custody.[116] The 100th Congress, in P.L. 100-485, authorized $4 million for each of FY 1990 and 1991 to permit States to conduct one or more demonstrations to develop, improve, or expand activities designed to increase compliance with child access provisions of court orders.

The commissions' discussions of visitation issues generally covered two areas: the relationship between visitation and support, and methods of enforcing visitation rights.

> *Some commission reports cite research that shows a correlation between regular, high-quality visitation and payment of child support, but no causal relationship has been established. Certainly, however, statements in public hearings offer anecdotal evidence of such a link. Noncustodial parents often testified at public hearings that "She won't let me see my children, so why should I pay support," while custodial parents argued, "He doesn't pay a dime, why should I let him see the children."*[117]

Most reports of the State commissions agree that visitation and child support should be legally separate issues. Many of the reports also point out that enforcement of visitation rights usually is not rigorously enforced through the

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[116]Congressional Research Service, *The Child Support Enforcement Amendments of 1984*, p. 10-11.

[117]U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Summaries of Reports by State Commissions on Child Support Enforcement*. Washington, May 1986. p. xiii-xiv.

courts. The commissions generally favored the visitation enforcement remedies listed below.[118]

Many policymakers oppose conditioning the obligation to pay child support on noninterference with visitation rights. They maintain that denial of visitation rights should be treated separately and should not be considered a reason for stopping support payments. Some of the existing remedies for visitation violations are (1) contempt of court/jail, (2) allowing parents to take the missed visitation at a later time, (3) supervised visitation, (4) criminal penalties, (5) mediation, (6) fines, and (7) change of custody.[119]

The current literature, studies, and common sense suggest that in most cases visitation with the noncustodial parent is important to the healthy emotional development of children. Children with regular contact with their noncustodial parent often adjust better than those denied such contact. Moreover, generally it is in the best interest of the child to receive social, psychological, and financial benefits of a relationship with both parents.[120] Visitation is the primary means by which noncustodial parents carry out their parenting duty.

Noncustodial parents argue that it is unfair to look at the child support issue only from the viewpoint of the custodial parent. Traditionally, they argue, courts have sided with mothers in awarding custody, and have paid insufficient attention to enforcing visitation rights of fathers. As a result, they say, the mothers have had the rewards and obligations connected with rearing children, while fathers have sometimes had no share in the rewards, but have the continuing obligation to pay support. To be fair, it is argued, laws and procedures should be reformed not only with respect to enforcement of the child support obligation, but also with respect to visitation and custody rights.[121]

Debate over visitation is not limited to the rights of the noncustodial parent. Over the last 25 years, States have broadened the notion of what may be in a child's best interest. Every State, excluding the District of Columbia, has a statute that enables grandparents, and in some States siblings, relatives, or other persons, to petition for visitation rights with

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[118]Ibid., p. xiii-xiv.

[119]Horowitz, Robert, and G. Diane Dodson. *Child Support, Custody, and Visitation: A Report to State Child Support Commissions*. Washington, American Bar Association, July 1985. p. 3-8.

[120]Peterson, James L. *Post-Divorce Events and the Provision of Child Support*. Revised, Mar. 1987. Washington, Child Trends, 1987. p. 1.

[121]Congressional Research Service, *The Child Support Enforcement Amendments of 1984*, p. 10.

grandchildren. No State gives grandparents an absolute right to visit with their grandchildren. Rather, the statutes give grandparents the right to petition for visitation. Before such statutes, grandparents generally could obtain visitation only if they demonstrated that a child would be harmed if visitation rights were not granted. Now, they can obtain visitation rights if they can persuade the court that visitation would be in the best interest of the child. Many varied reasons have contributed to the enactment of these visitation statutes. They are similar to the reasons why it is important for the child's biological parents to remain in contact with him. Reasons include preserving family ties, recognizing the uniqueness of the grandparent-grandchild relationship, and providing stability for children in one-parent families.[122]

Another issue relates to visitation and the meaning of "absence." Title IV-A of the Social Security Act permits States to give AFDC benefits to needy children (and their mothers or other caretaker relatives) who have been deprived of parental support or care of a parent because the parent is absent from the home continuously, incapacitated, dead, or unemployed. There have been several court cases in which it has been argued that AFDC benefits should be ended because frequent visits with the children by the noncustodial parent conflict with the "absence requirement" of AFDC law. So far, welfare agencies and courts alike have reached differing opinions on what constitutes "absence" for purposes of AFDC eligibility.[123]

For Whom Does the Child Support Enforcement Attorney Work?

In many States establishing a court order for child support and/or enforcing the order is performed by or under the supervision of attorneys employed by or working under contract with the CSE agency. Some CSE attorneys are attorneys general, some are district attorneys, some are county attorneys, and some are private attorneys under contract. Although CSE attorneys work for the government, the litigation they pursue involves the adjudication of government interests only part of the time. A consensus on who the attorney represents has not yet been reached.[124] In AFDC cases, many observers maintain that the attorneys represent the CSE agency, not

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[122]George, Jody. Children and Grandparents: The Right To Visit. *Children Today*, v. 17., Nov.-Dec. 1988. p. 15.

[123]Dawson, Diann. The Evolution of a Federal Family Law Policy Under Title IV-A of the Social Security Act--The Aid to Families with Dependent Children Program. *Catholic University Law Review*, v. 36, fall 1986. p. 197-218.

[124]While the *literature* suggests that the attorney represents the CSE agency in AFDC cases and the non-AFDC client in nonwelfare cases, the OCSE contends that CSE attorneys *never* represent noncustodial parents.

the AFDC mother. In non-AFDC cases, most observers agree that the attorneys represent the nonwelfare mother. In post-AFDC cases,[125] it is argued by many that the attorney represents the custodial parent.[126] As one would expect, confusion occurs when the parties involved do not have a clear understanding of for whom the attorney is working.

Even though AFDC mothers have to assign their child support rights to the State in order to receive AFDC benefits, some AFDC clients mistakenly assume that the attorney is working directly for them. Such assumptions are easy to understand when the CSE agency does not clearly indicate the State's interests, for example, by filing the proceedings in the name of the AFDC recipient. Non-AFDC clients, on the other hand, are not required to assign their rights to child support to the CSE agency, and they usually pay a fee for support services, which they assume include legal services.

Conflicts of interest can occur, for example, if an AFDC client thinks the attorney is working on her behalf and tells him about child support payments that she is receiving directly from the noncustodial parent but has not reported to the CSE agency. If the attorney or the CSE agency has clearly indicated that the attorney is working for the State, the attorney can and should reveal such disclosures, which likely would result in the AFDC mother's being sanctioned or prosecuted for welfare fraud. If, however, the State-client-attorney relationship was not made clear, disclosure of damaging information would violate attorney ethics codes.[127]

Some observers contend that the current practice, followed in most States, of holding that attorneys represent the State in AFDC cases and the custodial parent in non-AFDC cases, is unworkable because many cases frequently switch back and forth between AFDC and non-AFDC status. They also argue that this approach lacks the consistency of treatment required by

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[125]P.L. 98-378 requires States to provide that AFDC recipients whose eligibility for AFDC is ended because of receipt of (or an increase in) child support payments or for other reasons will be automatically transferred from AFDC to non-AFDC status under the CSE program, without requiring reapplication or the payment of an application fee, and will be provided CSE services on the same basis and under the same conditions as other non-AFDC cases.

[126]Bryant, *Ethics in IV-D Practice*, p. 281-293.

[127]Roberts, Paula. *Attorney-Client Relationship and the IV-D System: Protection Against Inadvertent Disclosure of Damaging Information*. Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 297-298.

the CSE program.[128] Other observers maintain that all parties involved should be informed of the CSE agency-client-attorney relationship, regardless of what it is.

Should the Child Support Enforcement Program Be a Net Cost to the Federal Government?

In FY 1988, total net program "savings," after deducting all operating costs (i.e., savings to the taxpayer), amounted to $24 million. This figure corresponds to State savings of $381 million and a Federal cost of $357 million.

As mentioned earlier, the Senate Finance Committee expected the reduction in the Federal matching rate for CSE administrative costs to result in an "increased stake by the States in this program" and a closer "scrutiny of expenditures of scarce dollars." The continuous pattern of Federal deficits and State surpluses from the CSE program has raised the question of whether there is a proper division of costs and benefits. Some maintain that the States should pay more of the CSE costs; they assert the 1984 argument that a less generous Federal matching rate would induce States to operate more efficiently.

On the other hand, not all the benefits of the program can be measured in money terms. A large segment of the program, namely the non-AFDC component, by definition, provides no direct savings to the States or the Federal Government. Many argue that the intangible benefits (e.g., welfare cost avoidance and the prevention/deterrent effect) of the CSE program make it worthwhile, despite considerations of cost-effectiveness. A recent study indicated that there was $1 in indirect savings, or welfare cost avoidance, for every $5 in child support collections made on behalf of non-AFDC families.[129]

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[128]Malzahn, Janet. *Ethics: The Deliberate Dilemma.* Paper prepared for ABA Third National Child Support Conference, May 10-12, 1989. Washington, American Bar Association, 1989. p. 306.

[129]*Estimates of Cost Avoidance Attributable to Child Support Enforcement* [in] *Thirteenth Annual Report to Congress.*

APPENDIX A:
THE CHILD SUPPORT ENFORCEMENT PROGRAM IN THREE LOCATIONS--PRINCE GEORGE'S COUNTY, MARYLAND; THE DISTRICT OF COLUMBIA; AND FAIRFAX COUNTY, VIRGINIA

In October 1988, the House Committee on Ways and Means issued a "report card" on the Child Support Enforcement (CSE) program. First, it assigned grades to the Federal Office of CSE based on a survey of State offices of CSE. Second, it graded the States based on FY 1987 administrative data in five areas: paternity establishment, child support collections, cost-effectiveness, interstate collections, and reducing Aid to Families with Dependent Children (AFDC) costs. The States (including the District of Columbia, Guam, Puerto Rico, and the Virgin Islands) were graded on a curve. Four States received an A, 17 States received a B, 15 States received a C, 11 States received a D, and 7 States received an F. Maryland, the District of Columbia, and Virginia all received poor grades. (Maryland and Virginia received Ds and the District of Columbia received an F.)

In July 1989, an employee of the Congressional Research Service (CRS) visited the CSE offices of Prince George's County, Maryland, the District of Columbia, and Fairfax County, Virginia, to obtain first-hand knowledge of their programs. This appendix provides a brief summary of information obtained about the CSE program in the three jurisdictions, including some of the views expressed by the program's top administrators.

The Child Support Enforcement Program in Prince George's County, Maryland

Five counties of Maryland, including Prince George's, have a contract with the State to provide CSE services to county residents. In Prince George's County, the largest group of new clients are non-AFDC clients; they outnumber AFDC cases by almost four to one. In June 1988 there were 22,000 non-AFDC cases compared to 5,000-6,000 AFDC cases. Paternity needs to be established in about 50 percent of both AFDC and non-AFDC cases.

Under the county's contract, the State Department of Social Services fills out the one-page application on behalf of non-AFDC families (the AFDC eligibility worker fills out the form for AFDC families), performs the location services for both AFDC and non-AFDC families, and collects a $20 application fee from non-AFDC clients. The applications are then sent to the Prince George's office of CSE, which performs the rest of the CSE services. Once location is known, the client is interviewed by the CSE caseworker. The caseworker puts the pertinent information obtained from the client into the computer, which prints out the necessary forms. For example, if the mother indicates that the alleged father will not come to the CSE office for an interview voluntarily, a summons is sent. If both parents live in the county (or in a nearby jurisdiction with which Prince George's County has an

informal agreement), the interview at the CSE office takes about 15 minutes. If, however, the noncustodial parent lives in another State or jurisdiction, the case becomes a Uniform Reciprocal Enforcement of Support Act (URESA) case. URESA cases require the completion of a 12-page application form which usually requires a 2- to 3-hour interview with the custodial parent.

A Prince George's official said that recently the CSE office has been sanctioning AFDC clients for noncooperation, primarily because they do not show up for the interview. When a consent form is signed by both parents, an account is set up and collections begin. However, generally collections are slow to begin because in order for the consent decree to take effect, it must be signed by a judge (court). According to a Prince George's CSE official, the court usually is very slow in signing such orders because of a huge backlog of cases to be heard. He said it generally takes between 3 to 6 months for the CSE office to get signed consent forms from the court.

Prince George's County uses an innovative "one stop" approach to establishing paternity. The paternity court processes about 150 cases each day it is in session. Paternity court is held every other Wednesday in a converted elementary school building behind the Prince George's Courthouse in Upper Marlboro, Maryland. Once the alleged father is identified, a summons is sent to him. When he appears at the Wednesday paternity proceedings, the caseworker meets with him, his alleged children and their mother. The caseworker tries to get the man to acknowledge that he is the father. If he admits paternity, the caseworker determines the child support award amount which is based on a percentage of income formula, and both parties sign the consent form. If the man denies paternity, a blood test is taken in the same building, and a trial date is scheduled for 16 days later. The county has a contract with a laboratory to do the tests. Blood test results are ready within 2 to 3 weeks of the blood drawing. (Of course, the mother and child or children must also be given a blood test.) The blood tests for both parents and the child, cost $210 altogether, which, if the results are positive, the fathers can pay on an installment plan. If the results are negative, the county pays.

If the mother appears and the alleged father does not, the mother is interviewed by the sheriff to determine the whereabouts of the man. If the mother is able to give the man's location, the court issues a summons for an arraignment day 2 weeks later and excuses the woman from the hearing if she is sure that the man will admit paternity. If the mother can testify that the man actually received notice and indicated to her that he would not come to court, an arrest warrant is issued, and the man is taken into custody that day if possible.

If the man is present and the woman is not and she is an AFDC recipient, it is noted in her record and the man is advised of her status. If he wants to admit paternity, he is permitted to do so and a support hearing is held that day. If the mother is not an AFDC recipient, the case is dropped. According to the CSE official, this is because her failure to appear indicates

that she is no longer interested in having the CSE agency handle her case. If the man denies paternity, the Department of Social Services notifies the AFDC mother to appear with her child within the week for a blood test. The man's blood test is performed that day and the matter is scheduled for trial in about 30-45 days.

Once the blood test results are in hand, the man is summoned back to court if he was not excluded as the father by the test; the caseworker then tries to get him to sign the consent form. A CSE official said that very few men are excluded by the blood test. If the alleged father wants a trial, he is given a court date. Paternity trials are held every Friday. Usually about 20 cases are heard. A Prince George's official said that 90 percent of alleged fathers voluntarily (without the blood test) consent to paternity and the child support order.

If, during the paternity proceedings or the support establishment process, the father says that he is unemployed or underemployed and therefore cannot pay the State-established award amount, he is referred to a representative of the Private Industry Council (PIC), established pursuant to the Job Training Partnership Act, for a specified number of months. The PIC representative tries to get the person into training or a job. During the interim, the noncustodial parent is issued a temporary support order, which may be as low as $5 per month.

Once the noncustodial parent is ordered to pay support, the CSE caseworker reviews cases each month to see if payments are being made. Prince George's County has a computerized system, and each file is in the automated system. If payments are not being made, wage withholding is the first method used to enforce support obligations. The second method is contempt of court. In cases where the noncustodial parent ends up in jail in Prince George's County, it is usually because he failed to appear in court rather than because he didn't pay support. If the noncustodial parent cannot make the payments, the court usually sets up a different payment schedule. It is not the county's practice to keep noncustodial parents unable to pay child support in jail.

The CSE official indicated that many fathers who basically are willing to pay child support do not do so if they have accumulated a large arrearage that they cannot realistically pay off. Thus, in Prince George's County, the policy is not to assess arrearages. The only way to get an arrearage is through consent. A CSE official said that several years ago, under pressure from the State Department of Social Services, CSE tried to collect arrearages, but, he said, the courts have always been liberal on the issue and have sometimes struck consent language requiring arrearages to be paid.

In Prince George's County, the court routinely makes child support payable through the CSE system, including all divorce cases. The CSE process usually takes 3 weeks from the application to the order, but from 4

to 6 months for the order to take effect. According to the CSE official, this is primarily because of the slowness of the courts.

The District of Columbia Child Support Enforcement Program

There are 10 AFDC offices in the District of Columbia. All of the AFDC centers have a CSE employee on site (although not every day) who interviews AFDC clients and fills out the four-page CSE referral/application form. The AFDC client also must sign a petition to the court if paternity needs to be established for the child. Because one CSE staff person cannot handle all of the AFDC cases, the CSE worker on site at the welfare office may send some AFDC mothers to the CSE office, and set up appointments for others. The District CSE official said that 50 percent of AFDC referrals show up for the interview. The CSE caseworker usually gives the AFDC mother two chances (even more if the mother calls with a legitimate excuse) before the woman is sanctioned for noncooperation.

According to a CSE official, 85 percent of all cases (both AFDC and non-AFDC) need to have paternity established. In December 1988, the District of Columbia began a "same day" paternity establishment process. When the CSE caseworker interviews the client, the client is asked whether the alleged father will admit paternity, whether the alleged father will willingly cooperate with the CSE agency, whether an agreement has been reached regarding support payments, and whether the alleged father has made support payments in the past. If the answers to these question indicate that the man is willing to admit paternity, a letter is sent to the client and the alleged father with a hearing date, usually within the next week (compared to the 45-60 days that, according to the CSE official, it normally takes to establish paternity and issue a support order). If both parties appear in court and the man admits paternity, the appropriate petitions are prepared, reviewed, and filed with D.C. Superior Court the same day. The official noted that 85 percent of the noncustodial parents appear at the hearing as scheduled. If an alleged father fails to report to court, a summons is prepared and sent to the alleged father to come to court on a specified date.

If the man appears in court and denies paternity, the District of Columbia's "same day" paternity blood test process goes into effect. In such a case the judge orders the man to go immediately to the blood-testing laboratory within the courthouse to have a blood test performed to determine whether he is the father. The results of the test are provided to the court and/or the CSE agency within 2 to 3 weeks, after which a hearing is scheduled within 20 days to establish paternity (in cases where the alleged father was not excluded by the blood test). The CSE agency pays for the cost of the blood test, and the father reimburses the agency if the results are positive. It costs $300 for the regular HLA blood test for the mother, father, and child. If the HLA test in inconclusive, a DNA test is performed at a cost of $450. The blood testing laboratory is open 5 days a week. A District of Columbia CSE official said that before the "same day" procedures there was

a 1,000 case backlog of paternity cases. There is no longer a backlog. If the blood test does not exclude the man, and the man still denies paternity, a hearing is held in which a commissioner or judge (no jury) decides whether the man is the father. The official said that the District of Columbia has a 70 percent voluntary acknowledgement rate (without blood test) in paternity cases.

The District of Columbia has an agreement with the Corporation Counsel for legal services. Thus, the legal arm of the CSE agency is the Corporation Counsel, which is responsible for providing representation before the court in all child support cases. All cases that are scheduled for a court hearing go through the court services unit of the District's CSE agency for a quality control check before being transferred to the Corporation Counsel. The court services unit insures that all petitions, motions, etc., are properly signed and notarized and that all supporting documentation is included. In addition, the unit provides case tracking and monitoring after the initial court hearing. The D.C. Superior Court distributes collections to non-AFDC families and the CSE agency distributes collections for AFDC families.

A CSE official said that automation was a big problem 15 months ago, but that the District's CSE program now is almost fully automated. The official said that the automated system now sends out 97 percent of payments. Moreover, virtually all of the material sent to clients is furnished by computer. Once an order is in effect, a caseworker tracks the case and initiates the appropriate enforcement technique whenever payments are not made on time. An official said that one-third of the moneys collected are a result of wage withholding. The official also said that recent use of the unemployment compensation offset program has yielded significant collections.

The Child Support Enforcement Program in Fairfax County, Virginia

The Fairfax County CSE agency recently implemented a new procedure under which AFDC clients are interviewed by a CSE caseworker. A CSE official said the agency thinks the new procedure will provide better information regarding the location of the noncustodial parent, the willingness of the alleged father to admit paternity, the income and assets of the noncustodial parent, the social security number of the noncustodial parent, the employer, and if necessary, the family and friends of the noncustodial parent. AFDC cases are automatically referred to the CSE agency and receive services free of charge. If the mother needing support is not an AFDC recipient, she can apply for CSE services by calling the office in her area and setting up an appointment to fill out the application in person or by filling out an application form on her own and mailing it to the CSE agency. The application fee is $1, but it is the practice of the CSE agency to pay the fee for non-AFDC families. The agency does this because it is State of Virginia policy to serve all residents, regardless of income.

If the mother indicates that the alleged father is willing to admit paternity, the CSE agency asks the alleged father to sign a consent order. If the alleged father denies paternity and there is evidence indicating that he is the father, the CSE agency will take him to court. A Fairfax County CSE official said that the county has a 50 percent paternity acknowledgement rate.

The State of Virginia has been using administrative processes to establish and enforce child support obligations as an alternative to court hearings since the CSE program began in 1975. At least 40 percent of Virginia's obligated cases are established administratively. A CSE official said that there is a $65 per month minimum on child support award amounts. The official also said that efforts are underway to make the awards ordered by the court and the CSE agency consistent.

Under Virginia law, the CSE agency is responsible for collecting and distributing support collections unless both parents agree to handle payments between them or the employer is directed to deduct the support amount from the noncustodial parent's payroll checks and send them to the custodial parent.

The Fairfax County officials commented that they had seen their CSE program change from a program with a collection focus to a program with a social and humanistic focus, back to a program with a collection focus, but not to the exclusion of doing what is in the best interest of the child. They said that they saw this change reflected in their personnel. During the early years of the program, they remarked that many of their caseworkers were persons with law enforcement credentials, whereas during the late 1970s and early 1980s their caseworkers were more likely to have sociology backgrounds. They indicated that during this "social work" period, the caseworkers often sympathized with the mother with respect to her need to shun further contact with the father. Moreover, they indicated that the caseworkers emphasized the need of mothers to look to themselves for self-sufficiency. They also suggested that during this period, some caseworkers thought that the CSE program interfered with voluntary contributions of fathers and that award levels were punitive, sometimes inhibiting the father from living at a moderate standard of living. They remarked that it seemed the CSE program had come full circle and that the understanding of the program by administrators and staff had increased exponentially.

Comments

Officials in all three of the jurisdictions mentioned the continuing problems associated with interstate cases. They said that although they treat interstate cases with as much dispatch as other cases and have good cooperation from nearby States and jurisdictions, some other States continue to assign low priority to interstate cases. They also said that much needs to be done to make the URESA procedures more compatible.

The District of Columbia and Fairfax County officials spoke extensively of their public awareness campaigns. CSE staff of both agencies speak to community groups. The State of Virginia has recently started an advertising campaign focussed on teenagers. The District of Columbia has started sending Christmas cards to putative fathers; the caption inside the card says: "Give your child the greatest gift of all--your name."

All of the officials maintained that CSE efforts are undertaken on behalf of all cases. They said that they are working toward monthly monitoring of all cases, and periodically intensifying effort in cases in which the father cannot be located (i.e., reinterviewing the custodial parent, talking to former employers etc.).

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APPENDIX B:
CHILD SUPPORT ENFORCEMENT LEGISLATION

Although Public Law 93-647 did not establish child support enforcement provisions in the Social Security Act until 1975, Federal legislation was passed in 1950 aimed at compelling parents to financially support their children. Since 1950, much additional legislation has been passed. However, throughout the past three decades, program expansion and administrative refinement have been complicated by (1) friction between the States and the Federal Government over the jurisdiction of child support activities (an area of domestic law traditionally left to the domain of the States), and (2) major differences among States in the way child support laws are implemented and enforced.

The focus of child support efforts has been expanded since 1950, from ensuring that the responsibility for support rests with the parent(s), to ensuring parental support as a means to prevent families from resorting to public assistance. In conjunction with this latter focus, Federal intervention has increased dramatically. Although the basic responsibility for child support and establishment of paternity lies with the States, the Federal Government monitors, evaluates, and provides technical and financial assistance to State child support programs, in addition to providing direct assistance to the States in locating and obtaining support from absent parents.

The following presents the Federal legislative initiatives in the area of child support enforcement from 1950 through the present. [*Note*: Italicized text following each heading denotes a summary.]

Social Security Act Amendments of 1950 (P.L. 81-734, August 28, 1950)

The Social Security Act Amendments of 1950, effective July 1, 1952, required State welfare agencies to notify the appropriate law enforcement officials when aid to dependent children was being furnished to a child who had been abandoned by a parent. Both the House and Senate committee reports stated that ". . . all [emphasis added] instances of desertion or abandonment of children by parents which result in the payment of aid to dependent children should be brought to the attention of the proper law-enforcement officials."[1] *In*

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[1]U.S. Congress. House. Committee on Ways and Means. *Social Security Act Amendments of 1949. Report to Accompany H.R. 6000.* House Report No. 81-1300, 81st Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1949. p. 48. [Hereafter cited as Committee on Ways and Means, *Social Security Act Amendments of 1949*]; and U.S. Congress. Senate. Committee on Finance. *Social Security Act Amendments of 1950. Report to Accompany H.R. 6000.* Senate Report No. 81-1669, 81st Cong., 2d Sess. Washington, U.S. Govt. Print. Off., 1950. p. 56.

deference to State jurisdiction in this area, however, the House committee report further noted that "the legal responsibility of a parent for the support of his minor children is, of course, clearly established in the laws of every State."[2]

Over the next several years, however, despite this notification procedure, the number of families resorting to public welfare continued to increase, with a significant share of the growth due to the desertion of a parent combined with multiplying numbers of nonmarital births. In response, Congress passed legislation in 1965 and 1967 providing the States with access to information maintained at the Federal level to use in locating absent parents, while mandating stricter organizational and administrative requirements within and between the States.

Social Security Amendments of 1965 (P.L. 89-97, July 30, 1965)

The Social Security Amendments of 1965 provided that a State or local welfare agency could obtain the home and/or employment address of an absent parent from the files of the Department of Health, Education and Welfare (HEW)[3] *under certain conditions (e.g., if a court order had been issued, if the child were an applicant or recipient of public assistance, if attempts had been made without success to obtain the address from other sources, etc.).*[4]

Social Security Amendments of 1967 (P.L. 90-248, January 2, 1968)

The Social Security Amendments of 1967 provided that if a request for the most recent address of an individual were filed by a court having jurisdiction to issue a support order, the Secretary of HEW must provide the court with the home and/or employment address, for the court to use in issuing (or determining whether or not to issue) a support order. In cases where the court did not have jurisdiction, the information obtained was to be used to determine the court to which a petition for support should be forwarded under reciprocal arrangements with other States.

The 1967 amendments also provided for the establishment of a single organizational unit in the State or local agency to be responsible for (1)

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[2]Committee on Ways and Means, *Social Security Act Amendments of 1949*, p. 48.

[3]HEW is now the Department of Health and Human Services (DHHS).

[4]The House receded from an amendment restricting HEW's disclosure of address information to cases where there was a court order for support. However, address information was never provided from the Federal level, pursuant to P.L. 89-97 and P.L. 90-248.

determining the paternity of children receiving AFDC and born out of wedlock, and (2) securing financial support from the absent parent for these and other children receiving AFDC, using reciprocal arrangements with other States to obtain and enforce court orders for support.

Having concluded that the provisions of the 1950 amendments regarding notifying law enforcement officials did not go far enough, Congress in the 1967 amendments required States to enter into cooperative agreements with court and law enforcement officials for assistance in administering the child support program, including the entering into of financial arrangements. The law also specified the procedures by which the files of the Internal Revenue Service (IRS) could be used to obtain the address of an absent parent in cases where there was a court order for child support or a petition for such an order.

In 1972, the General Accounting Office (GAO) issued a report documenting serious problems with State implementation of the 1967 amendments.[5] The GAO report stated that this failure was due, in large part, to problems at the *Federal* level, namely that HEW's assistance primarily consisted of approving State AFDC plans and, upon request, interpreting Federal requirements. Furthermore, the GAO found that HEW was neither monitoring State activities nor requiring States to report on the status of their child support enforcement activities. The report said that although the potential existed to substantially increase child support collections, HEW was not in a position to provide guidance or technical assistance to the States in doing so.

Congressional reaction to this situation culminated in the 1975 passage of P.L. 93-647, the Social Services Amendments of 1974, which greatly increased Federal intervention in State child support activities and added part D to title IV of the Social Security Act. This new part, entitled "Child Support and Establishment of Paternity," required States, in order to receive AFDC funds, to operate a child support program with specified components, most of which had already been used in States that had been the most successful in implementing effective child support programs. Although the law left the basic responsibility for child support and establishment of paternity to the States, a far more active role was established for the Federal Government. P.L. 93-647 mandated more aggressive administration at both the Federal and State levels, combined with financial incentives and penalties to encourage State compliance.

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[5]U.S. General Accounting Office. *Collection of Child Support Under the Program of Aid To Families With Dependent Children*; Report to the Committee on Ways and Means, House of Representatives. B-164031(3), Mar. 1972. Washington, 1972. 36 p.

Social Services Amendments of 1974 (P.L. 93-647, January 4, 1975)

The major child support provisions in P.L. 93-647 are as follows:

- ***Duties of the Secretary:*** *The Secretary of HEW was required to establish a separate organizational unit[6] under the head of a person designated by and reporting directly to the Secretary whose responsibilities are to (1) establish standards for State programs, (2) establish minimum organizational and staffing requirements for State units executing child support enforcement activities, (3) review and approve State child support plans, (4) evaluate the implementation of child support programs in each State, and, not less than annually conduct an audit of State programs,[7] (5) assist States in establishing adequate reporting procedures and in maintaining adequate records of program operations, (6) maintain records of child support amounts collected and disbursed, as well as costs incurred in collecting such amounts, (7) provide technical assistance to the States in establishing effective systems for collecting child support and determining paternity, (8) process applications from States wanting to use the courts of the United States to enforce court orders for support in interstate cases, (9) operate the Parent Locator Service, and (10) submit an annual report to the Congress regarding the above activities.*

- ***Parent Locator Service:*** *P.L. 93-647 directed the Secretary to establish the Parent Locator Service to obtain and transmit from HEW files or the files of any other Federal or State agency information as to the whereabouts of an absent parent to authorized persons for the purpose of enforcing support obligations. Costs incurred by Federal or State agencies were to be reimbursed by the Secretary. Costs incurred for services furnished to individuals might be recouped by charging a fee to the individual. States were required to exhaust all State child support locator services before requesting assistance from the Federal level.*

- ***State plan for child support:*** *P.L. 93-647 provided that a State plan for child support must be in effect in all political subdivisions of the State. The States were required to establish or designate a single, separate organizational unit to administer the plan, with State financial participation. In the case of AFDC families who had assigned their right to support to the State, the States were required*

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[6]The Federal office administering the child support program is the Office of Child Support Enforcement (OCSE).

[7]States found to be out of compliance were to be assessed a penalty equal to 5 percent of the Federal matching funds for the AFDC program, beginning January 1, 1977.

to establish paternity and secure support using reciprocal arrangements with other States as appropriate, and, when other means have failed, the Federal court system in interstate cases. P.L. 93-647 also made child support collection or paternity establishment services available to non-AFDC families. States were permitted to charge such families a reasonable application fee, and could deduct the costs in excess of the fee from the amount of child support collected. The State plan was required to provide for entering into cooperative and financial arrangements with courts and law enforcement officials, and States were directed to cooperate with other States in establishing paternity, locating absent parents, securing compliance with court orders, etc.

- ***Payments to States:*** *Beginning July 1, 1975, the Federal Government assumed responsibility for 75 percent of the total amount expended by States in operating their child support plan. Federal cost sharing for services provided to non-AFDC recipients (other than the use of the Parent Locator Service) was to expire after June 30, 1976.*

- ***Support obligations:*** *As a condition for eligibility for AFDC, applicants were required to assign their right to support payments to the State and cooperate in identifying the absent parent. The support rights assigned to the State constituted an obligation owed to the State, collectable under all applicable State and local processes. The amount of the debt was to be determined by an existing court order or, if there were no court order, according to a formula approved by the Secretary of HEW. The debt could not be discharged in bankruptcy.*

- ***Distribution of proceeds:*** *P.L. 93-647 provided that beginning July 1, 1975, child support collections made on behalf of AFDC families were to be distributed as follows: 40 percent of the first $50 collected goes to the family, without a reduction in their monthly AFDC payment.*[8] *Child support payments collected in excess of the amount paid to the family were to be retained by the State, as reimbursement for the monthly assistance payment. Support collected in excess of the amount retained by the State was to be paid to the family, as long as the amount specified in the court order was not exceeded. Any remaining amounts were to be divided between the State and the Federal Government as reimbursement for past assistance payments, based on the proportional matching share under the AFDC formula. Finally, when the distribution of child support collections resulted in ineligibility for AFDC, the State was permitted to continue to collect child support payments and distribute them to the family for a period not to exceed 3 months. At the end of the 3-month period, if the State were authorized by the individual on whose*

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[8]This provision expired 15 months later, on September 30, 1976.

behalf the collections were to be made, the State might continue collecting support payments, deducting the costs incurred from the amounts collected, and turning the balance over to the family.

- ***Incentive payments to localities:*** *In cases where the right to child support had been assigned to the State, when the enforcement and collection was made by a political subdivision of the State, or, if one State performed this function for another State, P.L. 93-647 authorized an incentive payment, to come out of the Federal share of the amount recovered. The incentive payment equalled 25 percent of the amount collected for the first 12 months, and 10 percent thereafter.*

- ***Garnishment and attachment of Federal wages:*** *P.L. 93-647 provided that effective January 1, 1975, the wages of Federal employees, including military personnel, were subject to garnishment in child support and alimony cases. In addition, annuities and other payments under Federal programs in which entitlement was based on employment were made subject to attachment for child support or alimony payments.*

- ***Civil actions to enforce child support obligations:*** *P.L. 93-647 provided the district courts of the United States with the jurisdiction to hear and determine any civil action certified by the Secretary of HEW in interstate child support cases.*

- ***Collection of child support obligations:*** *P.L. 93-647 amended the Internal Revenue Code of 1954 and permitted States to use the Federal income tax collection mechanism to collect support payments, when HEW certified that diligent efforts to collect such payments through other means were unsuccessful, and the amount sought was based on noncompliance with a court order. In the case of the first assessment, the law provided for a 60-day notice to the defaulting parent of the intent to enforce payments under the IRS tax collection mechanism. A preexisting court garnishment order against wages took precedence over this procedure, however.*

When President Ford signed the bill on January 4, 1975, he expressed concern that

> *. . . certain provisions . . . go too far by injecting the Federal government into domestic relations. Specifically, provisions for the use of the Federal courts, the tax collection procedures of the Internal Revenue Service, and excessive audit requirements are an undesirable and unnecessary intrusion . . . .*[9]

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[9]U.S. President, 1974-1976 (Ford). Social Services Amendments of 1974; Statement by the President Upon Signing the Bill Into Law, While Expressing Reservations About Certain Provisions, Jan. 4, 1975. *Weekly Compilation of Presidential Documents*, v. 11, Jan. 4, 1975. p. 20.

The President also stated that ". . . the establishment of a Parent Locator Service in the Department of Health, Education, and Welfare with access to all Federal records raises serious privacy and administrative issues."[10]

Before the effective date of the program, major problems with the States' ability to implement the program and possible adverse impacts on AFDC recipients were identified. A letter to the chairman of the Subcommittee on Public Assistance, signed by eight House Members, reiterated the President's concerns about the appropriate role for the Federal Government, and cited additional concerns, including the impact of the law on child support arrangements made voluntarily by the absent father and AFDC mother.[11] The 94th Congress passed legislation that addressed those concerns in the following ways.

An Act To Continue for a Temporary Period the Existing Suspension of Duty on Certain Istle[12] (P.L. 94-46, June 30, 1975)

Public Law 94-46 delayed the effective date of the Child Support Enforcement Act for 1 month, from July 1, 1975 to August 1, 1975.

An Act To Amend Child Support Provisions of Title IV of the Social Security Act, and for Other Purposes (P.L. 94-88, August 9, 1975)

Effective August 1, 1975, the major provisions of this statute provided:

- ***Temporary waivers:*** *With the proper justification, States could obtain temporary waivers from certain requirements of the program until June 30, 1976, and receive 50 percent Federal funding.*[13]

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[10]On July 21, 1975, the House passed H.R. 8598, a bill to minimize Federal involvement by repealing the Parent Locator Service, the use of the Federal courts for interstate enforcement, and the use of the IRS for child support collections, but the Senate Finance Committee rejected all of these provisions.

[11]Letter to Honorable Richard H. Fulton, House of Representatives. Washington, June 25, 1975.

[12]Istle is a fiber used in making bagging, carpets, etc.

[13]States implementing the program without the use of a waiver received the full 75 percent Federal match provided in P.L. 93-647.

- ***Protection of the child's best interest:*** *An AFDC applicant or recipient could be excused from cooperating in establishing paternity when there was good cause for refusal based on certain standards.*[14]

- ***Protection against a decrease in grants due to payment of child support directly to the State:*** *In determining the amount of the AFDC grant, any child support collected and retained by the State that would not have reduced the AFDC grant had the support been paid directly to the family was to be added to the AFDC grant otherwise payable under the State child support plan.*

- ***Safeguarding information:*** *The disclosure to any committee or legislative body of information that identified AFDC applicants or recipients by name or address was restricted to purposes specified in the law.*[15]

P.L. 94-88 also authorized Federal financial participation for certain expenses incurred in good faith during July 1975, made provisions for the assignment of support rights by recipients during the transitional period of program implementation, provided the authority for prospective quarterly payments to the States to operate their child support programs, and made several technical amendments to titles IV-A and IV-D of the Social Security Act.

An Act To . . . Extend for One Year the Period During Which Payments May Be Made to States for Child Support Collection Services Under Part D of Title IV of Such Act (P.L. 94-365, July 14, 1976)

P.L. 94-365 extended for 1 year, until June 30, 1977, the period during which Federal financial participation was available for child support services provided to non-AFDC recipients.

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[14]Good cause standards for refusing to cooperate in establishing paternity currently include situations that might result in physical or emotional harm to the child or caretaker relative, where legal procedures for adoption are underway, or where the child was conceived through incest or rape.

[15]Purposes specified in the law included those connected with the administration of approved State plans under titles IV-A, B, C, and D of the Social Security Act (and others), as well as investigations, prosecutions, or criminal or civil proceedings conducted in connection with the administration of such programs, and the administration of Federal or federally assisted programs providing cash or in-kind assistance or services to individuals based on need.

Unemployment Compensation Amendments of 1976 (P.L. 94-566, October 20, 1976)

This statute required State employment offices to supply information upon request to welfare agencies administering AFDC or the child support program regarding an absent parent's receipt of, or application for, unemployment insurance, as well as the parent's home address, and response to offers of employment.

The 95th Congress passed measures that subsequently tightened up the administration of the child support program, particularly regarding financial operations such as garnishment, reimbursement for services to non-AFDC recipients, incentive payments to the States, and bankruptcy discharge. Legislation was also passed coordinating child support efforts with other programs, and, to better oversee State activity, specifying additional information to be included in the Secretary's annual report to Congress.

Tax Reduction and Simplification Act of 1977 (P.L. 95-30, May 23, 1977)

P.L. 95-30 amended and clarified provisions regarding the garnishment of Federal employees' wages. The conditions and procedures to be followed when serving garnishment orders were specified, wages of employees of the District of Columbia were made subject to garnishment, the authority to issue garnishment regulations was given, and certain definitions were specified. States also were required to provide bonding for employees receiving, handling, or disbursing cash, and to ensure that the accounting and collection functions were performed by different individuals.

In addition, the incentive payment provision was amended to equal 15 percent of the amount collected. (See P.L. 93-647.) The due date of the program's annual report to Congress was changed, and additional material was required to be in the report. With the advent of a newly designated Federal fiscal year (which changed from July 1-June 30 to October 1-September 30), a special transitional report was required, covering the intervening period of July 1, 1976, through September 30, 1976.

An Act for the Relief of Smith College, Northampton, Massachusetts, and for Other Purposes (P.L. 95-59, June 30, 1977)

P.L. 95-59 provided a 15-month extension, from June 30, 1977 through September 30, 1978, of 75 percent Federal financial support for costs incurred in providing child support enforcement services to non-AFDC recipients.

Medicare-Medicaid Anti-Fraud and Abuse Amendments (P.L. 95-142, October 25, 1977)

This statute established a medical support program under which Medicaid applicants or recipients might be required to assign their rights to medical support to the State. The statute provided that a Medicaid agency might enter into cooperative agreements with appropriate agencies, including the child support agency, for assistance in enforcing and collecting medical obligations.

An Act To Extend Certain Social Security Act Provisions, and for Other Purposes (P.L. 95-171, November 12, 1977)

P.L. 95-171 provided that during the 3-month period after a family became ineligible for AFDC, child support collections in excess of the regular monthly support payment were to be retained by the States to offset past AFDC expenditures. (See P.L. 93-647.)

An Act To Establish a Uniform Law on the Subject of Bankruptcies (P.L. 95-598, November 6, 1978)

P.L. 95-598 established a new uniform law on bankruptcy. The child support provision in the Social Security Act barring the discharge in bankruptcy of assigned rights to child support (section 456(b)) was repealed and incorporated into P.L. 95-598. This statute also listed exceptions to discharge, including alimony, maintenance, or support due to a spouse, former spouse, or child of the debtor in connection with a separation agreement, divorce decree, or property settlement.

Financial Institutions Regulatory and Interest Rate Control Act of 1978 (P.L. 95-630, November 10, 1978)

This Act provided another means of locating absent parents and ensuring financial support, by permitting financial institutions to disclose information to a government authority when the information was relevant to a possible violation of any statute or regulation.

The 96th Congress, at a slower place, continued to enlarge the Federal role in guiding and supporting State child support initiatives. It made additional Federal technical and financial resources available to the States, particularly regarding the provision of services to non-AFDC families. It also gave States more means with which to locate absent parents, expanded Federal oversight by adding reporting requirements, and enacted provisions regarding the distribution of support collections and the imposition of the audit penalty.

An Act To Extend for One Year the Provisions of Law Relating to the Business Expenses of State Legislators (P.L. 96-178, January 2, 1980)

This statute extended through March 31, 1980, Federal financial participation for child support services provided to non-AFDC recipients, retroactive to October 1, 1978.

Social Security Disability Amendments of 1980 (P.L. 96-265, June 9, 1980)

The Social Security Disability Amendments of 1980 made many changes to the Child Support Enforcement program. Beginning July 1, 1980, the use of the IRS to collect child support for non-AFDC families was authorized. Also beginning July 1, 1980, Federal matching funds at the 75 percent rate were made available for child support enforcement duties performed by court personnel related to the judicial process (excluding individuals making judicial determinations.) To enhance program administration, technical assistance and 90 percent Federal matching funds were made available to the States to offset the costs involved in establishing and/or enhancing automated child support management information systems, subject to the Secretary's approval of an advance planning document.

P.L. 96-265 also specified supplemental reporting and matching procedures. States were required to report the full amount of child support collected and disbursed, as well as expenditures for the calendar quarter that ended 6 months earlier in order to receive advance payment of the Federal share of administrative costs. DHHS was also authorized, beginning January 1, 1981, to reduce AFDC payments to the States by the Federal share of child support collected but not distributed by the State.

Finally, State and local IV-D agencies were given access to wage information held by the Social Security Administration and State employment security agencies to use in establishing and collecting child support obligations.

Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272, June 17, 1980)

The Adoption Assistance and Child Welfare Act of 1980 contained several amendments affecting the child support enforcement provisions of the Social Security Act. Federal financial participation was made permanent for child support costs associated with non-AFDC recipients, retroactive to October 1, 1978. Specific information to be contained in the Secretary's annual report was enumerated. P.L. 96-272 also provided incentive payments to the States for child support collections they made on their own behalf in all AFDC cases. Earlier, incentive payments were made only for interstate collections or

collections made by political subdivisions of the State on behalf of that State. (See P.L. 93-647.)

In addition, P.L. 96-272 prohibited payments to States for expenditures made on or after October 1, 1979, and not claimed within 2 years, except for court-ordered retroactive payments, audit exceptions, adjustments to prior year costs, or cases where the Secretary of DHHS chose to waive this requirement. Finally, the 5 percent penalty against Federal AFDC reimbursement with respect to FY 1977 and 1978 in cases where an audit revealed that the State did not have an effective child support program was postponed until October 1, 1980.

An Act To Amend Title XVIII of the Social Security Act To Provide for Medicare Coverage of Pneumococcal Vaccine and its Administration (P.L. 96-611, December 28, 1980)

This statute directed the Secretary of DHHS to enter into agreements with States under which the Parent Locator Service might be used to locate a parent or a child with respect to (1) the unlawful taking or restraint of a child or (2) enforcing a child custody determination under any State or Federal law. The States were permitted to impose a fee to offset the costs of this service.

This law also postponed, until October 1, 1981, reductions in AFDC grants to the States for FY 1977 through 1980 due to negative findings during the annual child support audits conducted for those years. Also prohibited until October 1, 1981, were changes to the Federal regulations prescribing the audit criteria and the penalty for failure to have an effective Child Support Enforcement program.

The 97th Congress made many changes in child support law. It expanded direct Federal involvement through the use of the tax system, specified provisions regarding State services to non-AFDC recipients, made available further means of locating absent parents, and authorized the collection of past due support payments in allotments from the pay of active members of the uniformed services.

Omnibus Budget Reconciliation Act of 1981
(P.L. 97-35, August 13, 1981)

The Omnibus Budget Reconciliation Act of 1981 made several amendments to the Social Security Act affecting the Child Support Enforcement program, effective October 1, 1981, unless noted otherwise.[16]

The Secretary of the Treasury was required to withhold from tax refunds an amount equal to any past due support, upon receiving notice from a State child support agency that an individual owed past due support assigned to the State as a condition of AFDC eligibility. The Secretary of the Treasury, with the DHHS Secretary's approval, was required to issue regulations prescribing when and how the States were to submit notices of past due support, the information to be included or appended to such notices, the minimum amount of past due support to which the offset procedure applied, and the fees the States must pay to offset the cost of the offset procedure. State child support agencies were also permitted to collect spousal support on behalf of the custodial parent, but only if a support obligation had been established with respect to such parent. The use of IRS collection procedures was extended to include the collection of spousal support and obligations established by administrative processes under State law as well as by court order.

P.L. 97-35 also required States to retain a fee in accordance with State law, charged against the absent parent, equal to 10 percent of the support owed in non-AFDC cases. Only amounts collected that exceeded the amount of support owed could be considered a fee. Any fees collected were to be used to reduce the administrative costs for which the State claimed Federal matching funds. Another change under P.L. 97-35 reenacted section 456(b), effective immediately, which provided that a child support obligation assigned to the State as a condition of AFDC eligibility was not dischargeable in bankruptcy. (See P.L. 95-598). Finally, based on information supplied pursuant to section 508 of the Unemployment Compensation Amendments of 1976, child support agencies were required to periodically determine whether individuals owing child support were receiving unemployment compensation. If so, child support obligations were to be enforced through an agreement with the individual to have specified amounts of compensation withheld, or by initiating legal processes. This provision became effective immediately.

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[16]The provisions were effective October 1, 1981, unless a State demonstrated to the Secretary that State law imposed an impediment to complying with a requirement of the Federal law.

Tax Equity and Fiscal Responsibility Act of 1982
(P.L. 97-248, September 3, 1982)

This Act included the following provisions affecting child support enforcement:

- ***Reduction in certain Federal payments to States:*** *Federal matching funds for the administrative costs States incurred when providing child support enforcement services were reduced from 75 percent to 70 percent, effective October 1, 1982. Incentive payments to State and local agencies were also reduced, from 15 percent to 12 percent of their AFDC collections, effective October 1, 1983. Also effective October 1, 1983, earlier provisions were repealed that allowed Federal matching funds for certain costs of court personnel who performed child support enforcement activities, to the extent that those costs exceeded the amount spent by a State on similar court expenses during calendar year 1978.*

- ***Fee for services to non-AFDC families:*** *Effective August 13, 1981, P.L. 97-248 repealed the mandatory collection fee in P.L. 97-35 for non-AFDC recipients. States were permitted to not recover non-AFDC costs, or, subject to State law, to deduct them from support collections or charge them against the absent parent. A technical correction was also made to give States the option of providing spousal support collection services to non-AFDC custodial parents, if a support obligation had been established regarding such parents.*

- ***Allotments from pay for child and spousal support owed by members of the uniformed services on active duty:*** *As of October 1, 1982, members of the uniformed services on active duty were required to make allotments equal to the amount of the support order from their pay and allowances whenever they failed to make child (or child and spousal) support payments for at least 2 months. The percentage of pay subject to allotment was limited by the provisions of the Consumer Credit Protection Act (P.L. 90-321), and the absent parent was given 30 days in which to consult legal counsel before the allotment became effective.*

- ***Reimbursement of the State agency in initial month of ineligibility for AFDC:*** *Effective October 1, 1982, in the initial month of AFDC ineligibility due to the collection of sufficient child support, States were permitted to reimburse themselves in order to avoid a situation where the family could receive the AFDC and child support payment in the same month.*

Finally, P.L. 97-248 provided for delayed effective dates when State legislation was required in order to conform with the State child support plan.

Uniformed Services Former Spouses' Protection Act (P.L. 97-252, September 8, 1982)

Title X of P.L. 97-252 allowed military retirement or retainer pay to be treated as property to be divided by State courts in connection with divorce, dissolution, annulment, or legal separation proceedings. This Act permitted the court to order child and/or spousal support from any such retirement or retainer pay, but only up to 65 percent of the amount payable in a particular month.

Omnibus Budget Reconciliation Act of 1982 (P.L. 97-253, September 8, 1982)

The Omnibus Budget Reconciliation Act of 1982 included a provision effective immediately to provide for the disclosure of information obtained under the authority of the Food Stamp Act of 1977. P.L. 97-253 permitted access to information provided by food stamp applicants to persons directly involved in the administration or enforcement of Federal assistance programs, or federally assisted State programs, including the Child Support Enforcement program.

Job Training Partnership Act (P.L. 97-300, October 13, 1982)

This Act amended the Wagner-Peyser Act, which created the U.S. Employment Service, to direct the Secretary of Labor to ensure that upon request from certain programs (including child support), unemployment insurance and employment service offices in each State were to furnish information regarding individuals' employment. Information to be provided included whether or not an individual was receiving, had received, or had applied for unemployment compensation, and the amount being received, the current or most recent address of the individual, and whether the individual had refused an offer of employment and, if so, a description of the employment and related terms, conditions, and pay.

Continuing Appropriations for Fiscal Year 1983 (P.L. 97-377, December 21, 1982)

This Act, in addition to appropriating money to carry out title IV-D of the Social Security Act, appropriated funds for the Office of Child Support Enforcement to be used for official reception and representation expenses.

The 98th Congress substantially increased Federal control and oversight over the child support program, although it left primary responsibility for child support and enforcement of paternity with the States. As noted in the Senate report accompanying the legislation that later became the Child Support Enforcement Amendments of 1984, the procedures used by the States

in operating their child support programs had never been specified, and, as a result, States had adopted a variety of procedures. Some procedures were simply ineffective, and others, which were known to be effective (e.g., wage withholding) had not been adopted by all States. Therefore, ". . . it is the Committee's belief that the current program can be strengthened and improved if *all* State child support agencies are *required* to use certain procedures."[17] [Emphasis added.]

The 98th Congress focused on expanding public awareness of child support, and emphasis was placed on improving both the child support enforcement and paternity establishment components of the program. It also offered the States incentives to make services available to both AFDC and non-AFDC families.[18]

Joint Resolution To Designate the Month of August 1983 as "National Child Support Enforcement Month" (P.L. 98-68, August 5, 1983)

In creating "National Child Support Enforcement Month" and calling for appropriate programs, ceremonies, and activities, this legislation noted the following: (1) significant progress has been made toward improving laws and regulations dealing with child support enforcement by the States, (2) the child support program has provided a needed response in alleviating problems within and among States regarding the legal rights and financial needs of their citizens, (3) the ultimate goal of the program is to reduce financial deprivation among America's children by ensuring that the responsibility of support rests with the parent(s), (4) the dedicated service of family support enforcement personnel, the judiciary, and the legal community has contributed to increased child support collections, paternity establishments, and the location of absent parents, and (5) the growth and success of child support programs have resulted from increased cooperation of Federal, State, and local agencies.

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[17]U.S. Congress. Senate. Committee on Finance. *Child Support Enforcement Amendments. Report to Accompany H.R. 4325.* Report 98-387, 98th Cong., 2d Sess. Washington, U.S. Govt. Print. Off., 1984. p. 27.

[18]In fact, ". . . some States have not enforced child support obligations as energetically for non-AFDC families as they have for AFDC families, and in a few States and localities, services appear to be available only for families receiving AFDC benefits." U.S. Congress. House. Committee on Ways and Means. *Child Support Enforcement Amendments of 1983. Report to Accompany H.R. 4325.* Report No. 98-527, 98th Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1983. p. 29.

Bankruptcy Amendments and Federal Judgeship Act of 1984 (P.L. 98-353, July 10, 1984)

This Act made nondischargeable any debt for child support ordered by a court, regardless of whether the debtor parent was ever married to the child's other parent.

Deficit Reduction Act of 1984 (P.L. 98-369, July 18, 1984)

This Act included tax provisions pertaining to alimony and support. Under prior law, alimony was deductible by the payor and included in the gross income of the payee. Under Section 71, Alimony and Separate Maintenance Payments, the payee's gross income still included alimony or separate maintenance payments, except for the amount fixed under the terms of the divorce or separation agreement as child or spousal support. In addition, for taxable years beginning after 1984, P.L. 98-369 provided that the $1,000 dependency exemption for a child whose parents are divorced or separated was to be claimed by the custodial parent, except where the custodial parent signed a written declaration that he or she would not claim the exemption for the year.

Furthermore, P.L. 98-369 provided that the first $50 of child support collected was to be paid to the family without affecting its eligibility for assistance or decreasing the amount they would otherwise receive. Finally, this Act required the State agencies administering the AFDC, Medicaid, Unemployment Compensation, Food Stamp, and Supplemental Security Income (SSI) programs, plus programs provided under Grants to States for Old-Age Assistance and Medical Assistance for the Aged (Title I), Grants to States for Aid to the Blind (Title X), and Grants to States for Aid to the Permanently and Totally Disabled (Title XIV) to exchange information between themselves and the Child Support Enforcement program. (This provision was one of the Grace Commission recommendations.)

Child Support Enforcement Amendments of 1984 (P.L. 98-378, August 16, 1984)

P.L. 98-378, the Child Support Enforcement Amendments of 1984, was the most significant piece of child support enforcement legislation passed since 1975. The main provisions are as follows:

- ***Improved child support enforcement through requiring State laws and procedures:*** *Effective October 1, 1985, unless the State were unable to comply because of State law, or unless the Secretary granted an exemption to political subdivisions within the State, States*

were required to establish the following child support enforcement procedures:[19]

(a) *For cases enforced through the CSE agency, mandatory wage withholding was required for both AFDC and non-AFDC families if support payments were delinquent in an amount equal to 1 month's support, or earlier at the absent parent's request. In addition, for all child support cases, all new or modified support orders issued in the State must include a provision for wage withholding when an arrearage occurs. States were also permitted to withhold forms of income other than wage income.*

(b) *Imposing liens against real and personal property for amounts of overdue support.*

(c) *Withholding of State tax refunds payable to a parent of a child receiving child support services, if the parent is delinquent in making support payments.*

(d) *Upon request by any consumer credit bureau, providing information regarding the amount of overdue support owed by an absent parent.*

(e) *Requiring individuals demonstrating a pattern of delinquent payments to post a bond, or give some other guarantee to secure payment of overdue support.*

(f) *Establishing expedited processes within the State judicial system or under administrative procedures for obtaining and enforcing child support orders, and at State option, for determining paternity.*

(g) *Notifying AFDC recipients at least once annually of the amount of child support collected on their behalf.*

(h) *Permitting the establishment of paternity until a child's 18th birthday.*

(i) *At State option, providing that child support payments be made through the agency that administers the State's income withholding system, upon request from either parent.*

- ***Federal matching of administrative costs:*** *P.L. 98-378 gradually reduced the Federal matching share for State*

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[19]The law provided that procedures listed here under (b), (c), (d), and (e) need not be used in cases where the State, using guidelines generally available, determined them to be inappropriate.

administrative costs from 70 percent to 68 percent in FY 1988 and 1989, to 66 percent in FY 1990 and thereafter.

- ***Federal incentive payments**: In order to improve cost effectiveness and encourage States to emphasize collections on behalf of both AFDC and non-AFDC families, the incentive formula was changed to equal 6 percent of the State's AFDC collections, and 6 percent of its non-AFDC collections, beginning October 1, 1985. States could qualify for higher incentive payments, up to a maximum of 10 percent of collections, if the AFDC or non-AFDC collections exceeded the combined administrative costs for both AFDC and non-AFDC.[20] In addition, P.L. 98-378 provided that each State involved in an interstate collection be credited with the collection for purposes of computing the incentive payment. Political subdivisions of a State participating in the costs of child support enforcement were also made eligible, at State option, to receive a share of any incentive payments made to the State.*

- ***Matching for automated systems used in income withholding and other procedures**: The Act specified that the 90 percent Federal matching rate then available to establish or enhance automated child support information systems (see P.L. 96-265) might be used at State option to develop and improve income withholding and other procedures required in P.L. 98-378. In addition, 90 percent Federal matching was made available to pay for the acquisition of computer hardware.*

- ***Fees for services to non-AFDC families**: States were required to charge an application fee for non-AFDC cases not to exceed $25, with the amount of the maximum allowable fee adjusted periodically by the Secretary to reflect changes in administrative costs. The fee might be charged against either parent, or may come out of State funds. In addition, effective immediately, States were given the option of collecting a late payment fee of between 3 and 6 percent of the amount of overdue support from the noncustodial parent of AFDC and non-AFDC families. The States, however, could not take any action that would reduce the amount of support paid to the child, and they might collect the fee only after the full amount of support had been paid to the child.*

- ***Continuation of support enforcement for AFDC recipients whose benefits are being terminated**: Effective October 1, 1984,*

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[20]The total amount of incentives awarded for non-AFDC collections could not exceed the amount of the State's incentive payments for AFDC collections for FY 1986 and 1987. Thereafter, however, the incentive paid for non-AFDC collections was capped at 105 percent of the incentive for AFDC collections in FY 1988, 110 percent in FY 1989, and 115 percent in FY 1990 and thereafter.

States were required to ensure that families whose eligibility for AFDC was terminated due to the receipt of or an increase in child support payments were automatically transferred to non-AFDC status under the child support program, without requiring an application for child support services or payment of a fee.

- ***Special project grants to promote improvement in interstate enforcement:*** *The Secretary was authorized to make demonstration grants to States proposing to undertake new or innovative methods of support collection in interstate cases. Seven million dollars was authorized in FY 1985, $12 million in FY 1988, and $15 million in FY 1987 and years thereafter.*

- ***Periodic review of State programs:*** *The Director of the Federal Office of Child Support Enforcement was required to conduct audits at least every 3 years to determine whether the standards and requirements prescribed by law and regulations were being met.*

- ***Modification of the noncompliance penalty:*** *Under the penalty provision, a State's AFDC matching funds were to be reduced at least 1 but not more that 2 percent for the first failure to comply substantially with child support standards and requirements, at least 2 but not more than 3 percent for the second failure, and at least 3 but not more than 5 percent for the third and any subsequent consecutive failures.*

- ***Extension of section 1115 demonstration authority to the child support program:*** *P.L. 98-378 permitted the States to operate an approved child support research and demonstration project under section 1115 of the Social Security Act, provided certain conditions were met.*

- ***Child support enforcement for children in foster care:*** *Effective October 1, 1985, State child support agencies were required to undertake child support collections on behalf of children receiving foster care maintenance payments under title IV-E of the Social Security Act, if an assignment of rights to support to the State had been secured by the foster care agency. Foster care agencies were also required to take steps to secure such an assignment to the State, where appropriate.*

- ***Collection of spousal support:*** *Child support enforcement services included the enforcement of spousal support, but only if a support obligation had been established with respect to the spouse, the child and spouse live in the same household, and child support was being collected along with the spousal support.*

- ***Modification in the content of the annual report to Congress by the Secretary:*** *The annual report submitted by the Secretary of*

DHHS to the Congress was modified, effective with the report issued for FY 1986, to include more specific data to better determine the effectiveness of State programs. Among the things to be included was information on child support cases filed and collections made in each State on behalf of children residing in other States, or cases filed against parents in other States, as well as caseload, obligations, and collections for the previous year and cumulatively for AFDC cases, former AFDC cases, and non-AFDC cases.

- ***Requirement to publicize the availability of child support services:*** *States were required to frequently publicize through public service announcements the availability of child support enforcement services, together with information regarding the application fee and a phone number or address where additional information could be obtained.*

- ***State commissions on child support:*** *The Governor of each State was required to appoint a State Commission on Child Support, to include representatives from all aspects of the child support system, including custodial and noncustodial parents, the child support agency, the judiciary, the Governor, the legislature, child welfare and social services agencies, and others. The purpose of the Commission was to examine the functioning of the State child support system in securing support and parental involvement of both AFDC and non-AFDC families, and submit a report of findings and recommendations by October 1, 1985.*

- ***Requirement to include medical support as part of any child support order:*** *The Secretary was required to issue regulations requiring State agencies to petition to include medical support as part of any child support order, whenever health care coverage was available to the absent parent at a reasonable cost. The regulations were also to provide for improved information sharing between child support and Medicaid agencies regarding the availability of health insurance coverage.*

- ***Increased availability of Federal parent locator services:*** *The requirement that States exhaust all State child support locator resources before they requested assistance from the Federal Parent Locator Service (see P.L. 93-647) was repealed.*

- ***Extension of Medicaid eligibility when support collection results in termination of AFDC eligibility:*** *If a family lost AFDC eligibility due wholly or in part to increased collection of child support payments, the State was required to continue to provide Medicaid benefits for 4 calendar months beginning with the month of ineligibility. (The family must have received AFDC at least 3 of the 6 months immediately preceding the month of ineligibility).*

- ***Guidelines for determining support obligations:*** *Each State was required to develop guidelines used at the discretion of courts or administrative entities in determining support obligations.*

- ***Availability of social security numbers:*** *The statute provided that the absent parent's social security number might be disclosed to child support agencies through either the Federal Parent Locator Service or the IRS.*

- ***Collection of overdue support from Federal tax refunds:*** *This provision permitted the Secretary of the Treasury, through January 1, 1991, to withhold from any tax refunds due an individual an amount equal to past due support on behalf of non-AFDC individuals, when given appropriate notice that the individual owed past due support. Previously, withholding from Federal tax refunds applied only to AFDC families, who assigned their right to support to the State as a condition of AFDC eligibility. (See P.L. 97-35.)*

- ***Wisconsin child support initiative:*** *The Secretary of DHHS was required to grant waivers to the State of Wisconsin to permit implementation of the State's proposed child support initiative, as long as there were no increase in Federal AFDC costs and children in need of support were not disadvantaged.*

- ***Sense of the Congress that State and local governments should focus on the problems of child custody, child support, and related domestic issues.***

Department of Defense Authorization Act, 1985
(P.L. 98-525, October 19, 1984)

This Act directed the Secretary of the relevant military department to comply with a court order served for the payment of child support or alimony out of the military pension of the former member in question, regardless of whether or not the order specifically required payment to be made out of the pension.

The 99th Congress made small changes to the child support program. It temporarily reduced the Federal matching share for administrative expenses, appropriated money for official reception and entertainment expenses, prohibited the retroactive modification of child support awards, and changed the computation of incentive payments.

Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, December 12, 1985)

Effective March 1, 1986, this Act reduced the FY 1986 administrative match from 70 percent to 66.65 percent, and the computer match from 90 percent to 85.69 percent. These reductions applied to FY 1986 only. Rates were to return to levels in permanent law on October 1, 1986.

Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1986 (P.L. 99-178, December 12, 1985)

In addition to providing funding to carry out title IV-D of the Social Security Act, this statute appropriated money, not to exceed $5,000, for the Office of Child Support Enforcement for official reception and representation expenses when specifically approved by the Commissioner of Social Security.

Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509, October 21, 1986)

This statute included a provision prohibiting the retroactive modification of child support arrearages under a child support order. Although States were required to permit either parent to apply for modification of an existing court order with notice provided to the other parent, no modification was permitted before the date of notification.

Tax Reform Act of 1986 (P.L. 99-514, October 22, 1986)

This statute provided that in computing incentive payments, interstate support collected in one State at the request of another State was to be treated as having been collected in full by each State.

The 100th Congress enacted the Family Support Act (P.L. 100-485), a far-reaching piece of welfare reform legislation containing stringent child support provisions. Title I of this Act was devoted to "Child Support and Establishment of Paternity." In floor debate, the welfare system was likened to a child support system,[21] and effective child support enforcement was characterized as being the ". . . linchpin of genuine welfare reform."[22] The dramatic

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[21]Kennedy, Edward M. Remarks in the Senate. *Congressional Record*, June 13, 1988. p. 7657.

[22]Andrews, Michael A. Remarks in the House. *Congressional Record*, Dec. 16, 1987. p. H11560.

strengthening of the child support enforcement and paternity establishment provisions gave clear evidence of the Federal Government's intensified efforts to place the responsibility for child support on the parents, while strengthening State implementation and commitment to the program at the same time.

This law required States to adopt universal and automatic wage withholding for child support awards, set Federal standards for the establishment of paternity, and required use of State guidelines on setting awards (unless rebutted in specific cases).

In addition to placing new requirements on State child support enforcement programs, the 100th Congress allowed the States some leeway in program design by authorizing several demonstration projects. It also enacted provisions to better publicize the program and make it easier to continue receiving child support services during the transition from AFDC to non-AFDC status.

Joint Resolution Designating the Month of August as "National Child Support Enforcement Month" (P.L. 100-88, August 13, 1987)

In creating "National Child Support Enforcement Month," the legislation noted that (1) significant progress has been made toward improving State laws and regulations dealing with child support enforcement, (2) the program has provided a needed response in alleviating problems within and among States regarding the legal rights and financial needs of their citizens, (3) the program's ultimate goal is to reduce financial deprivation among America's children by ensuring that the responsibility of support rests with the responsible parent, thereby diminishing the need for welfare dependency, (4) the dedicated service of family support enforcement personnel, the judiciary, and the legal community has contributed to increased child support collections, paternity establishments, and the location of absent parents, and (5) the growth and success of child support programs have resulted from and continue to rely on increased cooperation of Federal, State, and local agencies.

Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203, December 22, 1987)

This Act authorized a child support demonstration program in New York State, for a period not to exceed 5 years, pending the Secretary's approval of the State's application, and assurances of (1) continued financial assistance to all eligible children in the State, (2) the continued operation of an effective child support program, (3) an evaluation of the program using a reasonable methodology, and (4) reports of interim findings to the Secretary as required.

P.L. 100-203 also required States to continue to provide child support enforcement services to a family who became ineligible for AFDC, without

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application or other request to continue the services. States were also required to provide child support enforcement services to families with an absent parent who received Medicaid and had assigned their support rights to the State, regardless of whether they are AFDC recipients. Finally, this statute repealed the child support revolving fund, which was held to be unnecessary.[23]

International Child Abduction Remedies Act (P.L. 100-300, April 29, 1988)

This Act made, upon request, assistance available through the Parent Locator Service to the Federal agency designated by the President as the central authority under the Convention on the Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980.

Family Support Act of 1988 (P.L. 100-485, October 13, 1988)

The Family Support Act contained many provisions designed to make child support enforcement a first line of defense against welfare dependence. A summary of the child support provisions is as follows:

- ***Immediate income withholding:*** *Each State was required to provide immediate wage withholding, regardless of whether support payments were in arrears, for child support orders issued or modified on or after the first day of the 25th month after the date of enactment, unless (1) one of the parties demonstrated, and the court found, that there is good cause to not require withholding, or (2) there is a written agreement between both parties permitting an alternate arrangement.*[24] *States were also required to provide for immediate wage withholding for all support orders initially issued on or after January 1, 1994, regardless of whether a parent applied for child support enforcement services.*

- ***Disregard of child support:*** *The child support enforcement disregard of $50 authorized under P.L. 98-369 was clarified so that it applied to a payment made by the noncustodial parent in the month it was due, even if it was received in a subsequent month.*

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[23]The revolving fund was created in P.L. 93-647 as a fund available without fiscal year limitation to enable the States to be paid their share of child support collected via the Federal income tax collection mechanism.

[24]The requirement in P.L. 98-378 for mandatory wage withholding in cases where payments were in arrears applied only to orders that were not subject to immediate wage withholding.

- ***State guidelines for child support award amounts:*** *Judges and other officials were required to use State guidelines in establishing child support award amounts, unless they were rebutted by a written finding that applying the guidelines would be unjust or inappropriate in a particular case. States must review the guidelines every 4 years. In addition, beginning 5 years after enactment, States generally must review and adjust individual awards every 3 years for AFDC cases. For non-AFDC cases, review and adjustment must be made at the request of a parent. Four State demonstration projects to evaluate model procedures for reviewing child support award amounts were also authorized.*

- ***Notification of support collected:*** *Beginning 4 years after the date of enactment, each State must inform families receiving AFDC of the amount of child support collected on their behalf on a monthly basis, rather than annually as earlier required by P.L. 98-378. States may provide quarterly notification if the Secretary of DHHS determines that monthly reporting imposes an unreasonable administrative burden.*

- ***Performance standards and increased Federal assistance for paternity establishment:*** *States were required to meet Federal standards for the establishment of paternity. The standard is a percentage derived by taking the number of children in the State born out of wedlock who are receiving cash benefits or child support services and for whom paternity had been established, divided by the number of children born out of wedlock and receiving cash assistance benefits or child support services. To meet Federal requirements this percentage must be (1) at least 50 percent, (2) at least equal to the average for all States, or (3) have increased by 3 percent from FY 1988 to 1991 and by 3 percent each year thereafter. In addition, States were required to have all parties in a contested paternity case take a genetic test upon the request of any party, and were permitted to charge non-AFDC individuals for the costs of the paternity test.*

- ***Encouragement of States to adopt simple civil processes for voluntarily acknowledging paternity and civil procedures for establishing paternity in contested cases.***

- ***Increased Federal assistance for paternity establishment:*** *P.L. 100-485 set the Federal matching rate for laboratory testing to establish paternity at 90 percent, effective October 1, 1988.*

- ***Requirement for prompt State response to requests for child support assistance, and prompt distribution of child support collected:*** *The Secretary of DHHS was required to set time limits within which States must accept and respond to requests for assistance in establishing and enforcing support orders. Time limits*

were also to be set within which child support payments collected by the State must be distributed to the families to whom they are owed.

- ***Requirement for automated tracking and monitoring system:*** *Every State that does not have a statewide automated tracking and monitoring system in effect must submit an advance planning document that meets Federal requirements by October 1, 1991, for review and approval by the Secretary of DHHS. By October 1, 1995, every State must have an approved system in effect. Federal matching rates of 90 percent for this activity will expire after September 30, 1995.*

- ***Additional information source for the Parent Locator Service:*** *The Secretaries of Labor and DHHS were required to enter into an agreement to give the Federal Parent Locator Service prompt access to wage and unemployment compensation claims information useful in locating absent parents.*

- ***Use of social security number (SSN) to establish identity of parents:*** *Each State was required, in administering any law involving the issuance of birth certificates, to require each parent to furnish his or her SSN, unless the State found good cause for not doing so. The SSN is not to appear on the birth certificate, and its use when obtained through the birth record is restricted to child support enforcement purposes, except under certain circumstances.*

- ***Commission on Interstate Child Support:*** *P.L. 100-485 established a Commission on Interstate Child Support to hold one or more national conferences on interstate child support enforcement reform, and to report to Congress no later than October 1, 1990, on recommendations for improvements in the system and revisions to the Uniform Reciprocal Enforcement of Support Act (URESA).*[25]

- ***Exclusion of interstate demonstration grants in computing incentive payments:*** *Amounts spent by States for interstate demonstration projects were excluded from calculating the amount of the States' incentive payments.*

- ***Work and training demonstration programs for noncustodial parents:*** *The Secretary of DHHS was required to grant waivers to up to five States allowing them to provide services under the Job Opportunities and Basic Skills (JOBS) program to noncustodial parents unable to meet their child support obligations because of*

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[25]Adopted by all States by 1955, the URESA is a primary mechanism for initiating interstate child support action. URESA permits any person to whom child support payments are owed to file a petition and receive a hearing in the State where the debtor parent resides.

unemployment. No new power was granted to the States to require participation by noncustodial parents.

- ***Study of child-rearing costs**: P.L. 100-485 authorized a study of patterns of expenditures on children in two-parent families, single-parent families after divorce or separation, and single-parent families in which the parents were never married. No later than 2 years after enactment, a report on the results of the study, including recommendations for legislative, administrative, and other actions was to be submitted to the Congress.*

- ***Collection and reporting of child support enforcement data**: The Secretary of DHHS was required to maintain data, for both AFDC and non-AFDC families, on the number of cases needing and/or receiving child support services, including paternity determination and the locating of absent parents to establish, enforce, or modify a support order, among other things.*

APPENDIX C:
STATE CHILD SUPPORT ENFORCEMENT OFFICES*

ALABAMA
Director
Bureau of Child Support
Department of Pensions & Security
64 North Union Street
Montgomery, Alabama 36130
(205) 261-5072

ALASKA
Director
Child Support Enforcement Division
Department of Revenue, Hunt Bldg.
550 West 7th Avenue, 4th Floor
Anchorage, Alaska 99501
(907) 276-3441

ARIZONA
Administrator
Child Support Enforcement Admin.
Department of Economic Security
P.O. Box 6123, Site Code 776A
Phoenix, Arizona 85005
(602) 255-3465

ARKANSAS
Administrator
Child Support Enforcement Division
Social Services Department
P.O. Box 3358
Little Rock, Arkansas 72203
(501) 682-8398

CALIFORNIA
Chief, Child Support Program
Management Branch
Department of Social Services
744 P Street, Mail Stop 9-011
Sacramento, California 95814
(916) 322-8495

COLORADO
Director
Child Support Enforcement Division
Department of Social Services
1575 Sherman Street
Denver, Colorado 80203-1714
(303) 866-5994
(866-5000: General Information)

CONNECTICUT
Director
Child Support Enforcement Bureau
Department of Human Resources
1049 Asylum Avenue
Hartford, Connecticut 06105
(203) 566-3053

DELAWARE
Director
Child Support Enforcement Division
Dept. of Health & Social Services
P.O. Box 904
New Castle, Delaware 19720
(302) 421-8300

DISTRICT OF COLUMBIA
Chief, Office of Paternity and
Child Support Enforcement
Department of Human Services
425 I Street, N.W., Suite 3013
Washington, D.C. 20001
(202) 724-5610

FLORIDA
Director
Office of Child Support Enforcement
Health & Rehabilitative Services
1317 Winewood Blvd., Bldg. 3
Tallahassee, Florida 32399-0700
(904) 488-9900

GEORGIA
Director
Office of Child Support Recovery
State Dept. of Human Resources
878 Peachtree St., N.E., Rm. 529
Atlanta, Georgia 30309
(404) 894-4119

GUAM
Supervisor
Child Support Enforcement Office
Public Health & Social Services
California First Bank Bldg.
194 Hernan Cortez Ave., 2nd Floor
Agana, Guam 96910
(671) 477-2036

* Procedures for obtaining child support enforcement (CSE) services vary among States. Specific directions may be obtained by writing or telephoning the relevant State's CSE office.

HAWAII
Administrator
Child Support Enforcement Agency
Dept. of the Attorney General
P.O. Box 1860
Honolulu, Hawaii 96805-1860
(808) 548-5779

IDAHO
Chief, Bureau of Child Support
Health & Welfare Department
Statehouse Mail
Boise, Idaho 83720
(208) 334-5710

ILLINOIS
Chief, Bureau of Child
Support Enforcement
Department of Public Aid
Jesse B. Harris Bldg.
100 South Grand Avenue East
P.O. Box 19405
Springfield, Illinois 62762
(217) 782-1366

INDIANA
Director
Child Support Enforcement Division
Department of Public Welfare
141 South Meridian St., 4th Floor
Indianapolis, Indiana 46225
(317) 232-4885

IOWA
Chief, Bureau of Collections
Department of Human Services
Hoover Building, 5th Floor
Des Moines, Iowa 50319
(515) 281-5580

KANSAS
Director
Child Support Enforcement Program
Social & Rehabilitation Services
300 South West Oakley St.
Biddle Building
P.O. Box 497
Topeka, Kansas 66603

KENTUCKY
Director
Child Support Enforcement Division
Department of Social Insurance
Cabinet for Human Resources
275 East Main St., 6th Floor East
Frankfort, Kentucky 40621
(502) 564-2285

LOUISIANA
Director, Office of Family Security
Support Enforcement Services
Health & Human Resources Dept.
P.O. Box 94065
Baton Rouge, Louisiana 70804
(504) 342-4780

MAINE
Director
Support Enforcement and Location
Bureau of Social Welfare
Department of Human Services
State House, Station 11
Augusta, Maine 04333
(207) 289-2886

MARYLAND
Executive Director
Child Support Enforcement Admin.
Department of Human Resources
311 West Saratoga Street
Baltimore, Maryland 21201
(301) 333-3979

MASSACHUSETTS
Deputy Commissioner
Child Support Enforcement Division
Department of Revenue
215 First Street
Cambridge, Massachusetts 02142
(617) 621-4200

MICHIGAN
Director, Office of Child Support
Department of Social Services
300 S. Capitol Ave., Suite 621
Lansing, Michigan 48909
(517) 373-7570

MINNESOTA
Director, Office of Child Support
Department of Human Services
Suite 403, Metro Square Bldg.
St. Paul, Minnesota 55101
(612) 296-2499

MISSISSIPPI
Director
Child Support Division
Dept. of Public Welfare
P.O. Box 352
515 East Amite Street
Jackson, Mississippi 39205
(601) 354-0341, Ext. 503

MISSOURI
Administrator
Child Support Enforcement Division
Department of Social Services
P.O. Box 1527
Jefferson City, Missouri 65102-1527
(314) 751-4301

MONTANA
Director
Child Support Enforcement Program
Investigation and Enforcement Div.
Department of Revenue
P.O. Box 5955
Helena, Montana 59604
(406) 444-4614

NEBRASKA
Administrator
Child Support Enforcement Office
Department of Social Services
P.O. Box 95026
Lincoln, Nebraska 68509
(402) 471-9125

NEVADA
Chief
Child Support Enforcement Program
Department of Human Resources
2527 North Carson Street
Capitol Complex
Carson City, Nevada 89710
(702) 885-4744

NEW HAMPSHIRE
Administrator
Child Support Enforcement Services
Division of Welfare
Health & Welfare Bldg.
Hazen Drive
Concord, New Hampshire 03301
(603) 271-4426

NEW JERSEY
Director
Bureau of Child Support
and Paternity Unit
Public Welfare Division, CN 716
Trenton, New Jersey 08625
(609) 588-2401

NEW MEXICO
Chief
Child Support Enforcement Bureau
Department of Human Services
P.O. Box 2348, PERA Bldg.
Santa Fe, New Mexico 87503
(505) 827-4230

NEW YORK
Director
Office of Child Support Enforcement
State Department of Social Services
1 Commerce Plaza, P.O. Box 14
Albany, New York 12260
(518) 474-9081

NORTH CAROLINA
Chief
Child Support Enforcement Section
Division of Social Services
Department of Human Resources
437 North Harrington Street
Raleigh, North Carolina 27603-1393
(919) 733-4120

NORTH DAKOTA
Administrator
Child Support Enforcement Agency
Department of Human Services
State Capitol
Bismarck, North Dakota 58505
(701) 224-3582

OHIO
Chief, Bureau of Child Support
Department of Human Services
State Office Tower, 27th Floor
30 East Broad Street
Columbus, Ohio 43266-0423
(614) 466-3233

OKLAHOMA
Administrator
Child Support Enforcement Unit
Department of Human Services
P.O. Box 25352
Oklahoma City, Oklahoma 73125
(405) 424-5871, Ext. 2874

OREGON
Administrator
Recovery Services Section
Adult & Family Services Division
Department of Human Resources
P.O. Box 14506
Salem, Oregon 97309
(503) 378-5439

PENNSYLVANIA
Director
Child Support Enforcement Bureau
Department of Public Welfare
P.O. Box 8018
Harrisburg, Pennsylvania 17105
(717) 787-3672 or 783-5184

PUERTO RICO
Director
Child Support Enforcement Program
Department of Social Services
Call Box 3349
San Juan, Puerto Rico 00904
(809) 722-4731

RHODE ISLAND
Director
Bureau of Family Support
Department of Human Services
77 Dorrance Street
Providence, Rhode Island 02903
(401) 277-2409

SOUTH CAROLINA
Executive Assistant
Child Support Enforcement Division
Department of Social Services
P.O. Box 1520
Columbia, South Carolina 29202-9988
(803) 737-9938

SOUTH DAKOTA
Program Administrator
Child Support Enforcement
Department of Social Services
700 Governors Drive
Pierre, South Dakota 57501-2291
(605) 773-3641

TENNESSEE
Director
Child Support Services
Department of Human Services
Citizens Plaza Building
400 Deadrick Street, 12th Floor
Nashville, Tennessee 37219
(615) 741-1820

TEXAS
Special Assistant Attorney General
Child Support Enforcement Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 463-2181

UTAH
Director
Office of Recovery Services
Department of Social Services
120 North 200 West
P.O. Box 45011
Salt Lake City, Utah 84145-0011
(801) 538-4400

VERMONT
Director, Child Support Division
Department of Social Welfare
103 South Main Street
Waterbury, Vermont 05676
(802) 241-2868

VIRGIN ISLANDS
Chief, Support & Paternity Division
Department of Law
46 Norre Gade
St. Thomas, Virgin Islands 00801
(809) 776-0372

VIRGINIA
Director
Support Enforcement Program
Department of Social Services
8004 Franklin Farms Drive
Richmond, Virginia 23288
(804) 662-9297

WASHINGTON
Director
Office of Support Enforcement
Dept. of Social & Health Services
P.O. Box 9162-FU-11
Olympia, Washington 98504
(206) 459-6481

WEST VIRGINIA
Assistant Commissioner
Child Advocate Office
Department of Human Services
1900 Washington Street
East Charleston, West Virginia 25305
(304) 348-3780

WISCONSIN
Director
Division of Community Services
Office of Child Support
1 West Wilson Street, Room 385
P.O. Box 7851
Madison, Wisconsin 53707-7851
(608) 266-9909

WYOMING
Program Manager
Child Support Enforcement Section
Division of Public Assistance
and Social Services
Health and Social Services Dept.
Hathaway Building
Cheyenne, Wyoming 82002
(307) 777-7892

APPENDIX D:
SELECTED STATE CHILD SUPPORT ENFORCEMENT STATISTICS

The following tables were excerpted from: U.S. Dept. of Health and Human Services. Office of Child Support Enforcement. *Child Support Enforcement Statistics, Fiscal Year 1988. Thirteenth Annual Report to Congress for the Period Ending September 30, 1988*, v. II. [Advance Copy]

TOTAL DISTRIBUTED COLLECTIONS
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$11,977,783	$25,532,365	$32,499,194	$39,976,351	$44,562,046
ALASKA	10,307,283	10,794,100	12,831,794	17,136,641	19,873,170
ARIZONA	14,246,531	12,874,138	13,730,287	20,113,908	21,186,244
ARKANSAS	7,808,794	9,988,354	14,864,989	16,266,945	20,217,143
CALIFORNIA	285,803,758	305,096,085	336,568,702	394,882,363	440,407,040
COLORADO	15,129,441	18,324,030	19,055,469	22,375,782	27,364,646
CONNECTICUT	43,160,081	48,209,627	54,477,843	57,182,157	60,311,165
DELAWARE	9,757,875	10,697,542	12,232,426	13,870,970	15,539,549
DISTRICT OF COLUMBIA	3,993,216	4,692,401	5,185,204	5,690,482	6,959,448
FLORIDA	42,752,798	45,751,133	63,135,665	81,758,942	105,321,992
GEORGIA	18,585,690	26,280,701	35,275,537	48,082,025	65,147,703
GUAM	484,981	432,644	486,588	626,514	752,270
HAWAII	10,271,569	11,642,020	11,790,804	15,984,649	15,075,839
IDAHO	4,726,195	5,814,561	10,954,139	13,490,406	16,391,570
ILLINOIS	42,875,741	54,529,936	72,647,003	89,622,032	105,821,132
INDIANA	26,048,418	33,683,169	47,012,100	60,612,811	72,013,089
IOWA	33,139,637	34,349,870	40,558,077	48,515,617	55,521,811
KANSAS	10,887,582	11,429,798	16,416,299	22,198,933	27,713,065
KENTUCKY	22,365,252	25,144,526	27,956,878	32,456,284	38,150,112
LOUISIANA	27,407,359	34,258,854	35,837,217	40,047,270	44,416,190
MAINE	12,051,885	14,120,830	17,730,925	22,421,315	25,285,375
MARYLAND	76,637,378	83,806,774	95,737,230	97,889,391	111,734,287
MASSACHUSETTS	84,059,311	98,339,241	109,311,877	128,808,501	151,495,468
MICHIGAN	305,420,771	341,178,339	424,646,890	531,136,538	579,194,856
MINNESOTA	52,151,673	58,849,660	68,888,654	79,467,271	98,731,327
MISSISSIPPI	5,299,991	6,895,334	11,797,976	15,444,480	19,046,296
MISSOURI	24,818,142	34,520,411	54,997,549	71,905,067	87,735,824
MONTANA	2,894,052	3,906,279	4,631,403	5,328,180	5,538,165
NEBRASKA	24,212,835	29,905,975	34,205,938	37,667,416	42,978,777
NEVADA	6,441,036	7,279,683	8,976,780	9,844,194	10,787,421
NEW HAMPSHIRE	11,884,155	12,771,173	14,203,324	17,541,887	18,847,481
NEW JERSEY	183,371,974	200,155,498	229,569,847	245,697,369	269,334,381
NEW MEXICO	5,522,720	6,291,963	7,978,097	8,672,409	9,863,511
NEW YORK	182,541,005	199,550,391	221,953,254	269,218,311	297,655,700
NORTH CAROLINA	37,291,588	45,042,203	55,380,798	69,767,725	86,112,258
NORTH DAKOTA	3,372,230	3,645,370	4,665,213	5,482,937	7,087,937
OHIO	41,569,531	82,700,294	124,745,074	180,695,783	311,820,169
OKLAHOMA	7,545,397	9,233,358	12,976,708	16,365,293	21,435,434
OREGON	37,401,160	39,778,092	49,150,249	53,470,062	59,674,773
PENNSYLVANIA	327,663,379	371,162,798	414,802,238	459,950,435	510,963,602
PUERTO RICO	85,210,907	54,265,042	59,211,443	66,163,811	73,134,602
RHODE ISLAND	7,910,365	8,633,782	10,465,640	11,822,588	14,801,492
SOUTH CAROLINA	11,077,707	11,062,658	21,756,262	33,580,666	40,449,888
SOUTH DAKOTA	2,732,200	3,153,548	4,473,375	6,275,060	8,248,614
TENNESSEE	22,295,129	23,562,038	31,390,050	38,406,445	50,684,942
TEXAS	25,003,959	30,311,364	43,208,591	61,184,358	83,674,097
UTAH	14,666,376	16,758,601	22,316,307	24,765,694	29,804,505
VERMONT	2,879,338	3,683,426	4,636,127	5,781,258	6,999,794
VIRGIN ISLANDS	1,479,015	2,338,988	2,037,584	3,018,368	3,425,667
VIRGINIA	13,953,086	16,277,734	24,610,100	58,858,694	75,751,370
WASHINGTON	46,034,585	56,829,556	61,151,399	72,320,300	88,926,671
WEST VIRGINIA	3,977,420	4,690,694	5,701,173	9,723,518	14,589,723
WISCONSIN	65,434,047	82,070,713	121,260,436	154,700,709	189,527,789
WYOMING	1,253,045	1,230,505	2,510,750	3,228,877	4,428,047
NATIONWIDE TOTALS	$2,377,788,376	$2,693,528,089	$3,244,595,476	$3,917,497,904	$4,612,595,387

TOTAL DISTRIBUTED AFDC/FOSTER CARE COLLECTIONS FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$8,778,410	$14,863,101	$14,454,353	$15,050,432	$15,858,259
ALASKA	1,728,303	2,057,810	2,797,023	4,241,740	5,643,789
ARIZONIA	2,165,135	1,636,261	2,725,348	4,805,262	4,234,078
ARKANSAS	5,183,489	6,318,169	8,883,462	8,770,872	10,358,391
CALIFORNIA	151,998,401	154,023,526	172,413,717	198,151,938	218,620,820
COLORADO	8,985,993	9,371,596	11,135,492	11,154,781	12,733,129
CONNECTICUT	21,945,305	23,605,501	26,081,171	26,403,884	26,690,232
DELAWARE	3,501,076	3,847,383	3,987,119	4,149,850	4,717,890
DISTRICT OF COLUMBIA	2,242,217	2,609,046	2,769,403	2,912,286	3,213,422
FLORIDA	30,587,412	26,260,920	28,281,532	33,510,657	34,098,983
GEORGIA	14,815,909	19,267,781	21,455,649	25,243,706	28,496,122
GUAM	295,957	280,827	272,714	299,315	335,283
HAWAII	4,488,502	5,162,155	5,137,610	5,698,027	6,478,654
IDAHO	3,869,522	4,324,251	4,803,591	5,033,522	5,611,177
ILLINOIS	24,414,728	27,935,770	32,391,939	38,705,455	40,975,547
INDIANA	22,540,585	24,585,310	29,702,911	31,465,825	35,318,251
IOWA	22,518,491	23,858,033	26,015,963	27,833,588	28,091,697
KANSAS	8,119,075	9,781,355	10,298,412	12,155,289	11,204,266
KENTUCKY	6,387,769	9,440,271	11,200,380	11,675,995	16,366,395
LOUISIANA	10,327,766	13,042,953	14,455,939	15,797,526	17,910,437
MAINE	9,695,566	10,527,848	12,796,260	15,557,155	15,665,176
MARYLAND	24,202,403	28,197,353	31,529,282	27,416,868	30,398,516
MASSACHUSETTS	42,919,179	46,342,813	50,398,044	53,962,012	65,838,786
MICHIGAN	106,770,642	111,924,685	125,425,922	127,507,783	131,677,241
MINNESOTA	28,600,415	30,805,158	33,920,518	35,821,838	40,389,711
MISSISSIPPI	4,900,829	4,807,168	5,928,411	7,596,302	9,024,471
MISSOURI	14,332,469	16,978,289	18,728,140	23,525,046	26,898,127
MONTANA	2,272,887	3,195,375	3,438,332	3,364,698	3,327,413
NEBRASKA	4,278,926	5,863,141	5,815,983	6,160,057	6,382,492
NEVADA	1,759,065	1,730,914	2,859,526	2,672,528	3,020,573
NEW HAMPSHIRE	2,459,369	2,522,837	2,336,275	2,744,294	2,846,674
NEW JERSEY	50,342,273	51,155,462	57,785,097	58,889,537	64,492,243
NEW MEXICO	3,537,077	3,750,282	4,837,479	4,120,469	2,485,497
NEW YORK	68,704,543	79,148,496	82,512,178	102,114,990	110,886,538
NORTH CAROLINA	20,877,515	23,530,813	27,803,031	33,248,587	37,695,510
NORTH DAKOTA	2,353,236	2,659,828	3,117,589	3,516,807	4,168,539
OHIO	39,917,969	47,584,957	59,245,973	66,866,267	70,222,636
OKLAHOMA	5,602,995	6,559,366	7,218,645	7,142,891	8,682,324
OREGON	12,216,665	14,123,350	15,296,957	14,744,313	15,331,594
PENNSYLVANIA	57,897,234	62,790,783	74,459,791	77,932,329	86,262,569
PUERTO RICO	1,210,670	1,525,180	1,729,630	1,803,360	1,715,045
RHODE ISLAND	4,966,912	5,126,280	5,900,460	6,063,793	7,409,522
SOUTH CAROLINA	8,745,431	7,720,496	10,543,667	13,218,107	12,648,871
SOUTH DAKOTA	2,111,262	2,305,202	2,677,698	3,057,606	3,566,858
TENNESSEE	6,467,274	5,868,320	9,757,191	12,085,915	18,719,176
TEXAS	13,245,905	15,958,809	17,619,356	19,703,399	27,343,275
UTAH	11,591,463	11,441,225	12,139,830	11,733,296	13,180,561
VERMONT	2,668,113	3,161,549	3,640,574	4,183,423	4,776,852
VIRGIN ISLANDS	158,662	210,925	212,479	241,281	286,257
VIRGINIA	12,026,809	13,930,479	13,606,531	15,536,171	18,050,689
WASHINGTON	29,173,188	32,021,224	33,483,091	38,429,162	44,301,021
WEST VIRGINIA	3,868,193	4,543,859	5,344,325	5,647,346	5,084,774
WISCONSIN	44,522,235	48,720,504	53,633,561	57,467,606	61,630,163
WYOMING	855,490	793,076	1,279,773	1,489,480	1,681,964
NATIONWIDE TOTALS	$1,000,147,081	$1,089,798,205	$1,225,485,319	$1,348,623,786	$1,483,256,480

Table 8

TOTAL DISTRIBUTED NON-AFDC COLLECTIONS
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$3,199,373	$10,669,264	$18,044,841	$24,925,919	$28,703,787
ALASKA	8,578,980	8,736,290	10,034,771	12,896,901	14,229,381
ARIZONA	12,081,396	11,237,877	11,004,939	15,308,638	16,952,166
ARKANSAS	2,625,305	3,670,185	6,781,527	7,496,073	9,858,752
CALIFORNIA	133,805,357	151,072,479	164,154,985	196,730,425	221,786,220
COLORADO	6,143,448	8,952,434	7,919,977	11,221,001	14,631,517
CONNECTICUT	21,214,776	24,604,126	28,396,672	30,779,073	33,620,933
DELAWARE	6,256,799	6,850,159	8,245,307	9,721,120	10,821,659
DISTRICT OF COLUMBIA	1,750,999	2,083,355	2,415,801	2,778,196	3,746,026
FLORIDA	12,165,386	19,490,213	34,934,133	48,248,285	71,223,009
GEORGIA	3,769,981	7,012,920	13,819,888	22,838,319	36,651,581
GUAM	189,024	151,817	213,874	327,199	416,987
HAWAII	5,783,067	6,479,865	6,653,194	10,286,622	8,597,185
IDAHO	856,673	1,490,310	6,150,548	8,456,884	10,780,393
ILLINOIS	18,461,021	26,594,166	40,255,064	50,916,577	64,845,585
INDIANA	3,507,833	9,097,859	17,309,189	29,146,986	36,694,838
IOWA	10,621,146	10,491,837	14,542,114	20,682,029	27,430,114
KANSAS	2,768,507	1,648,443	6,117,887	10,043,644	16,508,799
KENTUCKY	15,977,483	15,704,255	16,756,498	20,780,209	21,783,717
LOUISIANA	17,079,593	21,215,901	21,381,278	24,249,744	26,505,753
MAINE	2,356,319	3,592,982	4,934,665	6,864,160	9,620,199
MARYLAND	52,434,975	55,609,421	64,207,948	70,472,523	81,335,691
MASSACHUSETTS	41,140,132	51,996,428	58,913,833	74,846,489	85,656,682
MICHIGAN	198,650,129	229,253,654	299,220,968	403,628,755	447,517,615
MINNESOTA	23,551,258	28,044,502	34,968,136	43,645,433	58,341,616
MISSISSIPPI	399,162	2,088,166	5,869,565	7,848,178	10,021,825
MISSOURI	10,485,673	17,542,122	36,269,409	48,380,021	60,837,697
MONTANA	621,165	710,904	1,193,071	1,963,482	2,210,752
NEBRASKA	19,933,909	24,042,834	28,389,955	31,507,359	36,596,285
NEVADA	4,681,971	5,548,769	6,117,254	7,171,666	7,766,848
NEW HAMPSHIRE	9,424,786	10,248,336	11,867,049	14,797,593	16,000,807
NEW JERSEY	133,029,701	149,000,036	171,784,750	186,807,832	204,842,138
NEW MEXICO	1,905,643	2,541,681	3,140,618	4,551,940	7,378,014
NEW YORK	113,836,462	120,401,895	139,441,084	167,103,321	186,769,162
NORTH CAROLINA	16,414,073	21,511,390	27,577,767	36,519,218	48,416,748
NORTH DAKOTA	1,018,994	985,542	1,547,624	1,966,130	2,919,398
OHIO	1,651,582	35,115,337	65,499,101	1.3,829,516	241,597,533
OKLAHOMA	1,942,402	2,673,992	5,758,063	9,222,402	12,753,110
OREGON	25,184,495	25,654,742	33,853,292	38,725,749	44,343,179
PENNSYLVANIA	269,766,145	308,372,015	340,342,447	382,018,106	424,701,033
PUERTO RICO	64,000,237	52,739,862	57,481,813	64,360,451	71,419,557
RHODE ISLAND	2,943,453	3,507,502	4,565,100	5,758,795	7,391,970
SOUTH CAROLINA	2,332,276	3,342,162	11,212,595	20,362,559	27,801,017
SOUTH DAKOTA	620,938	848,346	1,795,677	3,217,454	4,681,756
TENNESSEE	15,827,855	17,693,718	21,632,859	26,320,530	31,965,766
TEXAS	11,758,054	14,352,555	25,589,235	41,480,959	56,330,822
UTAH	3,074,913	5,317,316	10,176,477	13,032,398	16,703,944
VERMONT	211,225	521,877	995,553	1,597,835	2,222,942
VIRGIN ISLANDS	1,320,153	2,128,063	1,825,105	2,777,087	3,139,410
VIRGINIA	1,927,077	2,347,255	10,923,569	43,322,523	57,692,681
WASHINGTON	16,861,397	24,808,332	27,668,308	33,891,138	44,625,650
WEST VIRGINIA	109,227	146,835	356,848	4,076,172	9,504,949
WISCONSIN	20,911,812	33,350,129	67,626,875	97,233,103	127,897,626
WYOMING	397,555	437,429	1,230,977	1,739,397	2,546,883
NATIONWIDE TOTALS	$1,377,641,295	$1,603,729,884	$2,019,110,157	$2,568,874,118	$3,129,338,967

INCENTIVE PAYMENTS FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$1,578,341	$3,823,616	$1,560,000	$1,880,000	$2,437,000
ALASKA	218,971	277,661	393,000	432,000	1,254,000
ARIZONA	253,560	190,908	570,000	780,000	910,000
ARKANSAS	634,321	748,666	755,000	1,052,000	1,355,000
CALIFORNIA	30,729,623	31,713,172	21,224,000	23,344,000	24,670,000
COLORADO	1,076,634	1,121,093	1,383,000	1,685,000	1,783,000
CONNECTICUT	2,550,995	2,906,140	3,688,000	3,530,000	4,237,000
DELAWARE	420,130	461,687	484,000	654,000	772,000
DISTRICT OF COLUMBIA	355,813	297,829	410,000	489,000	477,000
FLORIDA	3,315,052	3,453,057	3,660,000	4,936,000	6,740,000
GEORGIA	1,783,093	2,311,947	1,891,000	2,611,000	3,755,000
GUAM	2,981	28,637	41,000	30,000	38,000
HAWAII	705,550	700,365	678,000	750,000	766,000
IDAHO	447,406	499,222	669,000	806,000	881,000
ILLINOIS	2,696,377	2,767,448	5,298,000	5,672,000	7,289,000
INDIANA	2,570,058	2,975,974	3,897,000	5,830,000	4,974,000
IOWA	2,579,941	2,803,578	3,444,000	3,493,000	5,470,000
KANSAS	904,590	1,099,984	1,164,000	1,623,750	1,551,000
KENTUCKY	759,655	1,071,940	1,336,000	1,550,000	1,666,000
LOUISIANA	1,249,599	1,461,320	1,236,000	1,808,000	2,267,000
MAINE	1,154,424	1,253,225	1,612,000	1,692,000	2,407,000
MARYLAND	2,849,384	3,038,697	3,488,000	4,502,000	5,584,000
MASSACHUSETTS	5,201,634	5,572,707	7,042,000	7,980,000	9,194,000
MICHIGAN	14,521,874	14,581,657	22,500,000	25,336,000	24,784,000
MINNESOTA	3,454,244	3,677,410	5,048,000	5,548,204	5,834,752
MISSISSIPPI	223,021	366,218	662,000	853,000	1,442,000
MISSOURI	1,609,316	1,882,757	2,208,000	2,796,000	3,702,000
MONTANA	276,616	363,090	269,000	295,000	591,000
NEBRASKA	505,355	690,742	808,000	842,000	848,000
NEVADA	175,001	154,498	402,000	482,000	571,000
NEW HAMPSHIRE	281,065	290,944	340,000	372,000	405,000
NEW JERSEY	6,324,503	5,886,770	7,190,000	7,526,000	10,252,000
NEW MEXICO	424,449	449,894	363,000	517,000	672,000
NEW YORK	8,247,809	9,497,632	10,166,000	10,536,000	12,974,000
NORTH CAROLINA	2,528,235	2,808,500	3,922,000	4,182,000	6,910,000
NORTH DAKOTA	275,683	314,821	277,000	339,000	486,000
OHIO	4,790,154	5,710,194	5,341,000	8,850,000	13,788,000
OKLAHOMA	671,728	786,774	730,000	866,000	1,129,000
OREGON	1,571,858	1,624,279	2,114,000	2,168,000	2,933,000
PENNSYLVANIA	7,122,080	9,170,911	8,076,000	9,166,000	11,857,000
PUERTO RICO	136,340	167,382	224,000	270,000	436,000
RHODE ISLAND	569,707	613,134	918,000	1,001,000	1,427,000
SOUTH CAROLINA	996,448	1,015,453	1,392,000	1,800,000	2,531,000
SOUTH DAKOTA	249,248	226,508	308,000	375,000	583,000
TENNESSEE	771,575	715,706	1,192,000	1,408,000	1,732,000
TEXAS	1,601,602	1,877,920	2,950,000	2,940,000	3,999,000
UTAH	1,397,075	729,867	1,911,195	1,446,000	1,546,500
VERMONT	318,800	379,061	374,000	504,000	625,000
VIRGIN ISLANDS	19,063	25,311	26,000	30,000	43,000
VIRGINIA	1,414,065	1,658,179	1,473,000	2,096,000	2,318,000
WASHINGTON	3,418,815	3,672,621	4,128,786	4,504,000	6,889,263
WEST VIRGINIA	462,797	537,889	303,000	363,000	1,848,000
WISCONSIN	4,992,517	4,936,454	6,428,000	9,888,000	10,215,000
WYOMING	103,379	90,319	107,000	170,000	170,000
NATIONWIDE TOTALS	$133,681,554	$144,780,968	$158,073,981	$184,518,954	$223,218,515

AFDC/FOSTER CARE PAYMENTS TO FAMILIES FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$215,733	$3,533,131	$4,199,029	$4,221,204	$3,992,919
ALASKA	0	252,298	396,427	539,678	563,329
ARIZONA	41,895	388,969	640,111	691,599	646,962
ARKANSAS	57,949	2,027,418	2,345,482	2,593,140	3,343,426
CALIFORNIA	0	6,000,000	27,969,744	28,520,228	30,517,942
COLORADO	37,235	1,469,285	1,652,237	1,717,765	1,946,348
CONNECTICUT	0	2,425,889	3,385,859	3,228,575	2,957,097
DELAWARE	0	722,419	788,876	814,000	989,726
DISTRICT OF COLUMBIA	15,870	494,889	600,463	637,686	662,540
FLORIDA	200,977	7,310,109	7,203,762	7,142,220	7,301,504
GEORGIA	129,572	4,444,195	4,640,840	5,521,596	6,098,367
GUAM	0	53,414	67,968	62,114	62,766
HAWAII	0	956,424	1,033,651	970,368	871,449
IDAHO	16,834	503,863	624,205	667,004	676,037
ILLINOIS	345,551	4,873,703	6,465,558	7,721,198	8,190,286
INDIANA	1,494,246	6,358,765	7,606,702	6,863,989	6,781,290
IOWA	1,018,984	3,919,641	4,822,098	4,173,825	4,741,268
KANSAS	586,049	1,631,237	2,289,342	2,373,044	2,379,673
KENTUCKY	16,199	2,295,370	3,062,471	3,224,734	3,537,929
LOUISIANA	110,176	4,067,703	4,564,400	4,976,326	5,783,214
MAINE	81,807	1,931,950	4,797,606	6,197,907	6,641,508
MARYLAND	1,867,088	8,135,119	10,698,286	7,724,573	7,465,536
MASSACHUSETTS	0	6,541,257	10,434,854	10,971,768	11,066,093
MICHIGAN	0	16,311,062	21,042,108	20,975,978	20,754,112
MINNESOTA	28,714	5,355,939	5,904,735	6,202,685	6,555,097
MISSISSIPPI	3,042,325	2,687,744	3,604,239	4,993,467	3,166,998
MISSOURI	871,499	3,337,012	3,924,960	4,477,275	5,205,782
MONTANA	5,109	554,132	499,340	484,186	512,033
NEBRASKA	67,629	1,098,204	1,221,523	1,235,751	1,219,435
NEVADA	320,346	542,899	728,293	806,454	883,203
NEW HAMPSHIRE	141,751	545,800	455,025	431,202	425,283
NEW JERSEY	934,422	10,564,404	17,748,910	13,104,662	12,043,218
NEW MEXICO	1,158	593,974	689,303	780,083	652,685
NEW YORK	4,215	12,637,261	23,633,362	21,680,775	22,839,009
NORTH CAROLINA	40,692	6,859,148	8,575,023	9,165,908	9,988,742
NORTH DAKOTA	124,149	471,752	638,685	785,164	826,357
OHIO	0	11,140,067	15,581,935	17,414,028	17,357,458
OKLAHOMA	3,279	1,082,919	1,182,083	1,257,192	1,454,446
OREGON	393,516	2,765,313	2,973,194	2,882,953	2,932,834
PENNSYLVANIA	2,078,031	14,761,044	19,607,441	20,373,088	21,370,169
PUERTO RICO	71,774	711,173	1,025,130	1,075,086	1,030,431
RHODE ISLAND	111,134	1,267,683	1,356,357	1,324,735	1,375,393
SOUTH CAROLINA	1,247,895	3,070,261	4,941,369	3,999,671	3,976,192
SOUTH DAKOTA	7,467	320,601	444,284	506,668	591,319
TENNESSEE	135,329	2,179,638	3,639,393	4,350,532	6,133,909
TEXAS	245,101	3,180,390	3,795,095	4,091,845	5,398,435
UTAH	28,530	1,347,173	1,453,584	1,891,550	1,837,767
VERMONT	10,689	670,083	820,176	928,957	877,352
VIRGIN ISLANDS	0	87,283	91,935	77,157	86,780
VIRGINIA	242,937	2,078,960	2,182,566	3,102,152	2,761,238
WASHINGTON	163,507	3,784,368	4,823,439	4,577,633	5,391,915
WEST VIRGINIA	24,414	903,717	1,217,741	1,184,518	1,200,435
WISCONSIN	182,304	7,714,268	10,332,095	11,967,150	12,194,320
WYOMING	8,189	225,429	366,608	346,575	372,833
NATIONWIDE TOTALS	$16,763,470	$189,186,769	$274,789,902	$278,029,621	$288,632,389

TOTAL COLLECTIONS MADE BY THE STATES BY METHOD OF COLLECTION, FY 1988

STATES	FEDERAL TAX OFFSET	STATE TAX OFFSET	UNEMPLOYMENT INTERCEPT	WAGE WITHHOLDING
ALABAMA	$5,385,700	$124,485	$0	$17,225,966
ALASKA	936,735	0	524,277	9,035,950
ARIZONA	2,076,399	270,044	134,113	3,397,078
ARKANSAS	3,882,164	617,720	141,016	8,952,516
CALIFORNIA	38,240,878	19,760,764	10,485,241	167,376,262
COLORADO	3,300,052	257,966	424,478	3,907,246
CONNECTICUT	8,198,202	0	224,262	21,054,339
DELAWARE	1,274,043	123,083	163,900	7,968,128
DISTRICT OF COLUMBIA	694,408	182,354	103,431	3,623,458
FLORIDA	13,459,320	0	407,786	20,887,009
GEORGIA	8,061,542	1,673,371	84,978	20,199,226
GUAM	14,637	99,112	0	225,247
HAWAII	1,391,660	135,948	117,245	3,612,269
IDAHO	1,694,917	352,703	282,558	3,460,445
ILLINOIS	13,659,012	1,060,920	712,379	35,315,693
INDIANA	13,551,938	541,163	129,054	21,125,887
IOWA	9,348,480	966,434	260,172	11,670,696
KANSAS	3,865,806	347,290	760,665	6,246,729
KENTUCKY	6,330,740	485,135	52,973	7,837,422
LOUISIANA	2,835,097	330,391	671,935	21,480,069
MAINE	4,028,843	493,888	165,492	10,620,127
MARYLAND	10,523,955	3,974,223	630,132	38,740,577
MASSACHUSETTS	12,180,268	2,592,809	223,181	84,221,648
MICHIGAN	29,443,684	3,949,520	5,176,259	203,495,862
MINNESOTA	5,846,473	2,457,850	1,260,500	40,423,014
MISSISSIPPI	2,753,312	139,510	0	9,399,011
MISSOURI	11,064,917	912,733	1,190,984	31,780,050
MONTANA	1,167,612	108,181	115,271	1,232,043
NEBRASKA	2,142,290	141,683	304,147	8,632,462
NEVADA	502,136	0	86,357	4,418,442
NEW HAMPSHIRE	1,317,252	0	3,679	6,505,952
NEW JERSEY	14,706,884	2,497,796	2,495,222	77,355,734
NEW MEXICO	2,228,197	378,966	26,214	2,333,374
NEW YORK	18,714,860	8,837,657	1,944,318	133,585,793
NORTH CAROLINA	9,412,805	2,178,394	291,250	19,128,189
NORTH DAKOTA	800,654	37,922	23,152	730,077
OHIO	12,853,269	976,361	982,745	152,377,856
OKLAHOMA	3,080,218	158,766	33,871	5,211,117
OREGON	4,733,934	903,466	662,415	21,815,798
PENNSYLVANIA	19,954,832	70,961	5,847,561	190,910,399
PUERTO RICO	55,734	0	0	0
RHODE ISLAND	1,325,741	216,996	38,169	3,569,174
SOUTH CAROLINA	2,287,063	646,979	1,066	9,720,227
SOUTH DAKOTA	1,268,259	0	52,718	2,277,459
TENNESSEE	6,190,440	0	40,836	6,931,700
TEXAS	11,999,235	0	136,679	40,038,553
UTAH	2,668,591	390,141	627,458	12,725,681
VERMONT	1,241,656	368,210	27,394	1,846,060
VIRGIN ISLANDS	49,301	0	0	1,251,765
VIRGINIA	10,581,237	1,484,524	192,001	17,992,545
WASHINGTON	12,027,201	0	1,913,794	30,682,953
WEST VIRGINIA	2,547,423	21,107	285,288	4,351,043
WISCONSIN	11,276,174	2,994,332	1,881,676	105,065,098
WYOMING	608,489	0	49,765	213,821
NATIONWIDE TOTALS	$369,864,989	$64,261,858	$42,310,057	$1,674,185,231

TOTAL ADMINISTRATIVE EXPENDITURES
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$10,757,121	$12,785,917	$13,273,070	$14,877,783	$17,838,638
ALASKA	4,314,130	4,771,846	4,916,565	5,625,204	5,751,435
ARIZONA	6,549,937	5,995,933	9,397,098	9,095,902	10,051,905
ARKANSAS	4,795,626	5,251,593	5,670,170	5,532,430	6,869,762
CALIFORNIA	123,947,324	131,624,775	141,939,096	156,472,222	160,416,038
COLORADO	8,774,041	8,826,843	10,058,440	11,805,585	13,745,616
CONNECTICUT	12,846,667	14,251,988	15,589,415	19,681,612	22,097,182
DELAWARE	2,104,566	1,902,508	4,965,764	4,519,330	5,923,605
DISTRICT OF COLUMBIA	4,447,564	4,423,917	5,646,513	5,875,868	5,744,550
FLORIDA	17,568,162	21,741,187	29,743,828	41,364,615	46,093,885
GEORGIA	10,299,220	11,793,160	13,624,847	15,199,503	22,587,601
GUAM	318,770	295,671	350,071	410,561	464,938
HAWAII	4,338,460	4,901,538	5,227,086	5,156,678	4,170,248
IDAHO	2,536,637	3,016,384	3,062,890	3,321,369	4,319,513
ILLINOIS	18,589,182	25,514,515	30,256,837	35,745,945	39,467,053
INDIANA	7,924,610	8,886,663	9,759,870	11,600,727	13,119,459
IOWA	5,820,557	5,805,029	5,987,793	7,924,846	8,732,909
KANSAS	4,695,187	5,586,442	7,651,717	8,609,019	11,037,195
KENTUCKY	8,143,252	9,387,104	11,109,499	12,532,888	15,620,944
LOUISIANA	14,012,791	16,108,315	18,047,309	17,586,827	17,108,025
MAINE	3,217,433	3,544,810	4,742,916	5,985,799	6,305,552
MARYLAND	18,483,604	21,739,155	25,365,890	32,384,128	33,790,701
MASSACHUSETTS	23,650,437	27,515,164	31,257,345	37,266,211	37,082,707
MICHIGAN	44,523,046	44,750,478	50,979,436	55,774,557	65,825,464
MINNESOTA	17,759,671	20,248,667	22,796,804	22,655,777	27,479,571
MISSISSIPPI	2,986,191	3,410,846	5,155,378	4,589,992	6,230,248
MISSOURI	9,408,598	11,329,972	14,146,209	15,811,116	20,797,239
MONTANA	1,274,043	1,590,755	1,784,041	1,684,680	1,865,155
NEBRASKA	4,254,891	4,728,963	6,283,823	7,241,554	8,558,773
NEVADA	3,364,023	3,571,860	4,269,220	4,285,468	5,536,915
NEW HAMPSHIRE	2,302,094	2,575,793	3,237,787	3,291,792	3,825,041
NEW JERSEY	40,267,170	42,897,705	49,484,786	54,967,922	65,428,288
NEW MEXICO	3,227,924	3,310,411	3,512,867	4,347,308	5,608,452
NEW YORK	89,776,664	101,862,409	121,400,163	136,253,893	126,132,779
NORTH CAROLINA	14,058,596	15,313,508	17,000,554	18,234,306	25,951,091
NORTH DAKOTA	1,458,054	1,590,637	1,893,679	2,070,990	2,255,535
OHIO	21,285,706	24,501,589	28,311,839	32,001,005	28,784,009
OKLAHOMA	5,547,616	6,336,189	7,297,939	7,384,227	8,650,693
OREGON	12,432,437	9,825,002	10,987,012	13,267,439	13,904,880
PENNSYLVANIA	39,131,496	55,596,378	53,290,462	60,841,781	60,040,470
PUERTO RICO	3,461,814	4,542,591	4,223,588	3,494,978	4,155,654
RHODE ISLAND	2,354,172	2,455,821	2,685,735	3,569,611	4,052,274
SOUTH CAROLINA	4,445,304	6,510,861	9,189,868	11,149,621	12,521,612
SOUTH DAKOTA	1,173,335	1,334,653	1,630,011	2,117,822	2,358,090
TENNESSEE	7,026,187	8,174,689	9,482,426	12,507,346	12,388,932
TEXAS	14,123,956	13,960,134	21,522,402	23,521,723	29,733,374
UTAH	7,308,499	8,608,609	10,085,508	10,378,603	10,453,106
VERMONT	1,181,082	1,429,790	1,983,667	1,956,446	2,115,746
VIRGIN ISLANDS	424,491	715,414	954,059	730,328	823,814
VIRGINIA	8,029,096	8,801,217	15,698,003	24,398,850	31,738,324
WASHINGTON	18,933,606	22,941,316	25,291,656	28,292,482	35,926,260
WEST VIRGINIA	2,613,479	2,829,620	2,873,528	4,869,974	6,740,216
WISCONSIN	20,156,686	21,999,223	25,388,391	24,958,921	31,511,578
WYOMING	484,786	748,828	766,821	696,406	900,928
NATIONWIDE TOTALS	$722,909,991	$814,165,185	$941,251,691	$1,065,941,970	$1,170,713,973

NET FEDERAL SHARE OF ADMINISTRATIVE EXPENDITURES
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$7,564,581	$9,015,171	$8,926,103	$10,412,799	$12,334,165
ALASKA	3,019,883	3,340,293	3,284,849	3,925,721	3,910,641
ARIZONA	4,585,903	4,197,124	6,309,309	6,320,351	6,805,674
ARKANSAS	3,341,558	3,732,738	3,805,264	3,885,815	4,804,756
CALIFORNIA	86,783,322	92,150,437	94,747,325	109,273,250	109,019,937
COLORADO	6,196,653	6,251,643	6,883,643	8,550,888	9,937,228
CONNECTICUT	8,993,349	9,986,285	10,410,487	14,259,948	15,122,381
DELAWARE	1,453,592	1,331,836	3,460,553	3,288,268	4,048,799
DISTRICT OF COLUMBIA	3,113,294	3,081,538	3,769,162	4,121,358	3,910,310
FLORIDA	12,293,397	15,212,774	19,834,607	28,993,140	31,355,440
GEORGIA	7,310,880	8,428,250	9,159,933	10,630,754	15,546,121
GUAM	223,138	206,969	233,323	287,400	316,253
HAWAII	3,129,738	3,456,439	3,520,471	3,597,605	2,838,232
IDAHO	1,844,314	2,187,985	2,075,527	2,344,881	2,975,360
ILLINOIS	13,009,554	17,906,953	20,407,688	25,277,814	27,150,549
INDIANA	5,548,473	6,204,524	6,520,674	8,120,706	8,932,968
IOWA	4,074,390	4,063,520	3,980,601	5,803,887	6,174,245
KANSAS	3,286,631	3,915,929	5,104,256	6,033,696	7,510,365
KENTUCKY	5,700,306	6,570,778	7,417,630	8,829,732	10,704,737
LOUISIANA	9,809,870	11,292,761	12,061,844	12,311,855	11,647,455
MAINE	2,251,595	2,481,367	3,160,892	4,190,060	4,288,897
MARYLAND	12,773,611	15,222,020	16,898,208	22,659,825	23,026,764
MASSACHUSETTS	16,547,863	19,284,887	20,867,572	26,201,553	25,194,858
MICHIGAN	31,211,681	31,356,588	34,152,862	38,993,440	45,277,978
MINNESOTA	12,418,389	14,193,078	15,333,491	15,949,762	19,032,208
MISSISSIPPI	2,185,431	2,387,748	3,436,332	3,212,477	4,237,811
MISSOURI	6,561,349	7,944,698	9,438,678	11,031,191	14,159,828
MONTANA	891,829	1,113,520	1,189,595	1,179,272	1,269,617
NEBRASKA	2,978,967	3,320,526	4,238,497	5,074,762	5,854,811
NEVADA	2,354,816	2,500,301	2,857,093	2,993,[illegible]	3,773,799
NEW HAMPSHIRE	1,611,466	1,803,056	2,162,744	2,304,301	2,600,898
NEW JERSEY	28,531,790	30,526,266	33,709,551	39,696,706	46,062,538
NEW MEXICO	2,308,230	2,365,685	2,414,744	3,141,114	3,904,978
NEW YORK	63,148,434	71,454,292	82,459,975	96,399,994	87,122,525
NORTH CAROLINA	9,864,033	10,726,479	11,328,855	12,763,091	17,646,702
NORTH DAKOTA	1,020,638	1,113,436	1,262,137	1,449,693	1,533,757
OHIO	14,886,686	17,137,514	18,847,604	21,935,202	19,557,151
OKLAHOMA	3,885,758	4,540,831	4,953,038	5,322,099	6,122,876
OREGON	8,698,470	6,873,385	7,322,800	9,249,925	9,549,929
PENNSYLVANIA	27,401,140	38,885,773	36,012,324	42,087,654	41,075,576
PUERTO RICO	2,501,153	3,239,400	2,910,158	2,436,284	2,843,452
RHODE ISLAND	1,647,920	1,719,184	1,791,169	2,492,786	2,821,510
SOUTH CAROLINA	3,110,644	4,589,374	6,383,795	8,001,562	8,628,574
SOUTH DAKOTA	821,335	934,248	1,886,403	1,521,546	1,659,926
TENNESSEE	4,929,562	5,722,242	6,345,747	8,686,522	8,465,200
TEXAS	9,882,595	9,804,991	14,375,170	16,452,257	20,223,590
UTAH	5,115,930	6,024,027	6,721,982	7,265,022	7,133,919
VERMONT	826,757	1,000,853	1,430,577	1,381,632	1,442,835
VIRGIN ISLANDS	296,553	500,494	635,489	510,999	560,342
VIRGINIA	5,613,255	6,166,151	10,859,478	17,950,436	22,440,643
WASHINGTON	13,255,932	16,058,820	16,903,784	19,780,354	24,452,794
WEST VIRGINIA	1,829,256	1,981,337	1,915,896	3,409,168	4,590,839
WISCONSIN	14,163,888	15,461,735	17,324,514	17,800,170	22,146,882
WYOMING	339,350	525,464	511,076	487,484	614,974
NATIONWIDE TOTALS	$507,068,532	$571,493,717	$633,155,559	$750,274,027	$804,448,597

STATE SHARE OF ADMINISTRATIVE EXPENDITURES FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$3,192,540	$3,770,746	$4,346,967	$4,464,984	$5,502,473
ALASKA	1,294,247	1,431,553	1,631,716	1,699,483	1,840,794
ARIZONA	1,964,034	1,798,809	3,087,789	2,775,551	3,166,231
ARKANSAS	1,454,068	1,518,855	1,864,906	1,646,615	2,063,006
CALIFORNIA	37,164,802	39,474,338	47,191,771	47,198,972	51,396,101
COLORADO	2,577,388	2,575,200	3,174,797	3,254,697	3,808,388
CONNECTICUT	3,853,318	4,265,703	5,178,928	5,421,664	6,974,801
DELAWARE	650,974	570,672	1,505,211	1,239,070	1,874,806
DISTRICT OF COLUMBIA	1,334,270	1,342,379	1,877,351	1,754,510	1,834,240
FLORIDA	5,274,765	6,528,413	9,909,221	12,391,475	14,738,446
GEORGIA	2,988,340	3,364,910	4,464,914	4,568,749	7,041,480
GUAM	95,832	86,702	116,748	123,161	148,685
HAWAII	1,208,722	1,445,099	1,706,615	1,559,073	1,332,016
IDAHO	692,323	828,399	987,363	976,488	1,344,153
ILLINOIS	5,579,628	7,607,562	9,849,149	10,468,131	12,316,504
INDIANA	2,376,137	2,682,139	3,239,196	3,480,021	4,186,491
IOWA	1,746,167	1,741,509	2,007,192	2,120,959	2,558,664
KANSAS	1,408,556	1,670,513	2,547,461	2,575,323	3,526,830
KENTUCKY	2,442,946	2,816,326	3,691,869	3,703,156	4,916,207
LOUISIANA	4,202,921	4,815,554	5,985,465	5,274,972	5,460,570
MAINE	965,838	1,063,443	1,582,024	1,795,739	2,016,655
MARYLAND	5,709,993	6,517,135	8,466,802	9,724,303	10,763,937
MASSACHUSETTS	7,102,574	8,230,277	10,389,773	11,064,658	11,887,849
MICHIGAN	13,311,365	13,393,890	16,826,574	16,781,117	20,547,486
MINNESOTA	5,341,282	6,055,589	7,463,313	6,706,015	8,447,363
MISSISSIPPI	880,760	1,023,098	1,719,046	1,377,515	1,992,437
MISSOURI	2,847,249	3,305,274	4,707,531	4,779,925	6,637,411
MONTANA	382,214	477,235	595,246	505,408	595,538
NEBRASKA	1,275,924	1,408,437	2,045,326	2,166,792	2,703,962
NEVADA	1,009,207	1,071,559	1,412,127	1,291,644	1,763,116
NEW HAMPSHIRE	690,628	772,737	1,075,043	987,491	1,224,143
NEW JERSEY	11,735,380	12,371,439	15,775,235	15,271,216	19,365,750
NEW MEXICO	919,694	944,726	1,098,123	1,206,194	1,703,474
NEW YORK	26,628,230	30,408,117	38,940,188	39,853,899	39,010,254
NORTH CAROLINA	4,194,563	4,587,029	5,671,699	5,471,215	8,304,389
NORTH DAKOTA	437,416	477,201	631,542	621,297	721,778
OHIO	6,399,028	7,364,075	9,464,235	10,065,803	9,226,858
OKLAHOMA	1,662,458	1,795,358	2,344,901	2,062,128	2,527,817
OREGON	3,733,967	2,952,417	3,664,212	4,017,514	4,434,951
PENNSYLVANIA	11,730,356	16,710,605	17,278,138	18,754,127	18,964,894
PUERTO RICO	960,661	1,303,191	1,313,430	1,058,694	1,312,202
RHODE ISLAND	706,252	736,637	894,566	1,076,825	1,230,764
SOUTH CAROLINA	1,334,660	1,921,487	2,806,073	3,148,059	3,893,038
SOUTH DAKOTA	352,000	400,405	543,608	596,276	698,164
TENNESSEE	2,096,625	2,452,447	3,136,679	3,820,824	3,923,732
TEXAS	4,241,361	4,155,143	7,147,232	7,069,466	9,509,784
UTAH	2,192,569	2,584,582	3,363,526	3,113,581	3,319,187
VERMONT	354,325	428,937	553,090	574,814	672,911
VIRGIN ISLANDS	127,938	214,920	318,570	219,329	263,472
VIRGINIA	2,415,841	2,635,066	4,638,525	6,448,414	9,297,681
WASHINGTON	5,677,674	6,802,496	8,387,872	8,512,128	11,473,466
WEST VIRGINIA	784,223	848,283	957,632	1,460,806	2,149,377
WISCONSIN	5,992,798	6,537,488	8,063,877	7,158,751	9,364,696
WYOMING	145,436	223,364	255,745	208,922	285,954
NATIONWIDE TOTALS	$215,841,459	$242,671,468	$308,096,132	$315,667,943	$366,265,376

Table 23

FEES RECEIVED AND COSTS RECOVERED FOR NON-AFDC CASES
FOR FIVE CONSECUTIVE YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$5,720	$8,934	$57,670	$81,085	$89,015
ALASKA	0	0	3,847	2,505	5,208
ARIZONA	25,818	26,909	22,738	25,365	53,538
ARKANSAS	268,371	237,807	411,325	577,415	555,355
CALIFORNIA	0	0	2,430,984	2,467,455	2,968,841
COLORADO	47,379	66,108	147,999	136,124	114,119
CONNECTICUT	0	0	41,209	57,365	54,795
DELAWARE	1,038	12,479	19,799	15,081	19,469
DISTRICT OF COLUMBIA	12,140	16,075	19,405	16,725	20,120
FLORIDA	240,582	285,210	509,958	1,007,928	1,203,258
GEORGIA	3,937	8,280	1,265	137,657	25,617
GUAM	0	0	0	1,100	2,250
HAWAII	0	0	4,900	11,525	15,425
IDAHO	0	25	47,541	76,045	82,622
ILLINOIS	0	0	121	155	212
INDIANA	41,049	77,433	49,674	39,549	35,319
IOWA	0	1,575	5,197	15,205	13,898
KANSAS	14,340	46,340	0	0	0
KENTUCKY	0	0	48,088	61,431	61,950
LOUISIANA	0	0	0	174,755	115,004
MAINE	24,729	0	14,958	15,085	26,916
MARYLAND	67,539	341,692	94,411	257,298	181,377
MASSACHUSETTS	0	0	0	0	4,156
MICHIGAN	0	0	93,067	17,988	26,768
MINNESOTA	15,470	111,035	28,411	138,484	99,246
MISSISSIPPI	10,981	3,295	68,371	111,358	169,911
MISSOURI	63,854	7,454	300	275	60
MONTANA	50,763	49,054	3,387	64,166	5,769
NEBRASKA	10	8,785	3,195	2,491	2,649
NEVADA	0	0	1,650	1,648	4,743
NEW HAMPSHIRE	78,236	120,336	46,714	53,674	3,486
NEW JERSEY	0	0	0	0	92,536
NEW MEXICO	80,323	92,135	154,646	93,663	263,685
NEW YORK	86,656	104,675	546	-102,429	130,800
NORTH CAROLINA	59,391	120,715	235,786	240,021	250,001
NORTH DAKOTA	0	0	8,401	5,025	0
OHIO	0	0	0	0	0
OKLAHOMA	324,184	425,254	73,535	83,635	84,957
OREGON	12,335	8,334	21,160	5,865	2,896
PENNSYLVANIA	0	0	27,491	39,055	29,699
PUERTO RICO	0	0	0	0	0
RHODE ISLAND	4,420	6,160	11,322	6,966	6,560
SOUTH CAROLINA	130	0	7,932	5,513	5,791
SOUTH DAKOTA	69,935	79,889	12,407	4,517	4,704
TENNESSEE	0	0	31,605	12,408	16,837
TEXAS	317,901	707,614	587,563	430,318	325,813
UTAH	41,262	-28	0	0	0
VERMONT	3,773	3,070	8,958	10,410	18,500
VIRGIN ISLANDS	16,200	9,064	7,915	7,300	7,365
VIRGINIA	8,047	13,635	317,427	215,669	-90,266
WASHINGTON	957,499	90	4,557	6,250	9,450
WEST VIRGINIA	6,981	0	14,375	134,183	31,325
WISCONSIN	0	0	42,334	112,413	150,691
WYOMING	8,815	11,302	12,766	13,550	15,265
NATIONWIDE TOTALS	$2,969,878	$3,013,535	$5,748,920	$6,891,181	$7,317,697

TOTAL EXPENDITURES BY AFDC EXPENDITURES AND NON-AFDC EXPENDITURES, FY 1988

STATES	TOTAL REPORTED EXPENDITURES	AFDC EXPENDITURES	NON-AFDC EXPENDITURES
ALABAMA	$15,370,000	$9,738,432	$5,631,568
ALASKA	5,467,711	2,897,887	2,569,824
ARIZONA	10,118,171	5,633,379	4,484,792
ARKANSAS	7,419,785	4,600,267	2,819,518
CALIFORNIA	158,939,677	108,396,860	50,542,817
COLORADO	14,061,708	10,542,291	3,519,417
CONNECTICUT	22,171,037	15,158,421	7,012,616
DELAWARE	5,956,352	3,639,891	2,316,461
DISTRICT OF COLUMBIA	5,357,597	3,696,742	1,660,855
FLORIDA	47,200,440	25,011,513	22,188,927
GEORGIA	22,589,410	19,426,892	3,162,518
GUAM	485,505	291,303	194,202
HAWAII	4,826,800	2,462,247	2,364,553
IDAHO	4,402,135	3,037,473	1,364,662
ILLINOIS	39,468,265	21,975,713	17,492,552
INDIANA	12,260,940	9,870,057	2,390,883
IOWA	8,247,373	4,701,003	3,546,370
KANSAS	10,595,576	8,150,344	2,445,232
KENTUCKY	15,620,944	10,708,330	4,912,614
LOUISIANA	16,768,035	11,402,493	5,365,542
MAINE	6,428,010	3,985,366	2,442,644
MARYLAND	30,405,738	16,723,156	13,682,582
MASSACHUSETTS	37,318,049	24,256,732	13,061,317
MICHIGAN	66,056,556	46,900,155	19,156,401
MINNESOTA	28,008,311	20,007,042	8,001,269
MISSISSIPPI	6,466,954	4,332,859	2,134,095
MISSOURI	20,797,238	12,998,274	7,798,964
MONTANA	1,807,356	1,467,392	339,964
NEBRASKA	8,629,727	5,177,836	3,451,891
NEVADA	5,550,611	4,049,252	1,501,359
NEW HAMPSHIRE	3,858,235	1,543,294	2,314,941
NEW JERSEY	65,362,399	47,253,713	18,108,686
NEW MEXICO	5,230,050	3,332,065	1,897,985
NEW YORK	122,287,680	88,047,130	34,240,550
NORTH CAROLINA	26,822,607	17,783,388	9,039,219
NORTH DAKOTA	2,232,517	1,674,388	558,129
OHIO	27,086,106	18,039,611	9,046,495
OKLAHOMA	8,562,473	3,253,740	5,308,733
OREGON	13,987,776	9,413,411	4,574,365
PENNSYLVANIA	61,873,246	20,438,046	41,435,198
PUERTO RICO	4,120,209	2,194,433	1,925,776
RHODE ISLAND	4,062,915	2,356,491	1,706,424
SOUTH CAROLINA	12,576,528	4,137,678	8,438,850
SOUTH DAKOTA	2,416,565	1,729,777	686,788
TENNESSEE	13,877,893	7,846,736	5,231,157
TEXAS	30,059,187	20,440,247	9,618,940
UTAH	10,393,663	6,661,299	3,732,364
VERMONT	2,136,725	2,023,623	113,102
VIRGIN ISLANDS	810,801	324,320	486,481
VIRGINIA	32,001,330	16,000,665	16,000,665
WASHINGTON	35,993,961	24,102,972	11,890,989
WEST VIRGINIA	6,300,236	2,142,080	4,158,156
WISCONSIN	29,580,788	20,693,952	8,886,836
WYOMING	915,473	751,278	164,195
NATIONWIDE TOTALS	$1,160,547,374	$743,423,941	$417,123,433

AVERAGE ANNUAL CSE CASELOAD
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	107,984	140,043	175,621	193,811	228,549
ALASKA	20,834	25,505	26,793	26,004	28,253
ARIZONA	51,944	69,716	88,757	111,532	134,253
ARKANSAS	49,735	50,266	62,978	71,728	65,463
CALIFORNIA	1,002,917	1,011,562	939,323	890,600	930,855
COLORADO	121,800	132,209	188,612	176,575	196,074
CONNECTICUT	69,439	78,434	87,660	94,311	100,695
DELAWARE	21,221	19,919	19,480	22,188	23,561
DISTRICT OF COLUMBIA	37,066	48,268	53,125	58,131	63,305
FLORIDA	325,886	342,893	407,764	518,984	513,007
GEORGIA	210,198	248,647	263,753	297,017	330,820
GUAM	2,941	4,685	3,974	3,426	4,249
HAWAII	28,176	31,048	37,570	46,190	51,666
IDAHO	29,258	33,104	30,027	31,641	36,751
ILLINOIS	285,579	266,125	662,667	687,600	505,063
INDIANA	194,171	222,619	251,750	277,891	301,324
IOWA	74,984	72,660	76,981	87,003	90,223
KANSAS	119,900	127,076	81,014	100,367	92,259
KENTUCKY	195,621	225,595	228,677	188,975	192,888
LOUISIANA	149,768	160,109	178,712	200,953	182,427
MAINE	31,864	36,830	41,762	47,153	51,300
MARYLAND	234,040	243,363	195,336	170,359	196,664
MASSACHUSETTS	94,980	99,452	121,647	139,015	216,792
MICHIGAN	630,595	691,727	760,394	830,257	886,531
MINNESOTA	95,908	104,730	117,252	126,859	142,573
MISSISSIPPI	82,637	87,367	107,913	144,563	193,855
MISSOURI	120,421	129,550	143,849	160,875	179,739
MONTANA	35,170	33,431	36,508	36,773	21,644
NEBRASKA	34,744	39,809	48,841	52,203	57,031
NEVADA	25,483	25,957	26,600	27,993	33,924
NEW HAMPSHIRE	18,222	21,982	23,408	25,866	20,768
NEW JERSEY	325,763	338,347	335,154	333,857	351,429
NEW MEXICO	73,703	68,888	75,649	80,033	68,524
NEW YORK	646,314	407,048	431,549	713,991	722,159
NORTH CAROLINA	137,861	145,403	190,738	214,876	229,863
NORTH DAKOTA	11,277	12,433	14,560	18,127	20,800
OHIO	412,623	461,701	569,976	628,318	653,778
OKLAHOMA	71,994	145,654	221,057	240,522	172,207
OREGON	108,856	128,976	129,161	151,869	181,034
PENNSYLVANIA	558,282	609,613	670,736	717,507	763,160
PUERTO RICO	103,555	117,512	130,492	134,448	148,869
RHODE ISLAND	35,053	38,223	46,649	45,186	39,467
SOUTH CAROLINA	105,595	105,392	119,964	125,014	135,051
SOUTH DAKOTA	17,601	20,428	20,188	17,559	18,172
TENNESSEE	151,377	166,914	195,830	236,020	291,149
TEXAS	187,479	207,128	233,582	291,009	345,935
UTAH	34,372	37,466	37,584	43,100	51,554
VERMONT	10,929	11,592	13,441	14,299	15,399
VIRGIN ISLANDS	4,631	5,762	6,783	7,885	9,289
VIRGINIA	233,494	259,308	326,182	327,966	198,792
WASHINGTON	69,717	72,241	102,282	213,381	217,277
WEST VIRGINIA	48,468	55,569	61,857	70,259	87,451
WISCONSIN	137,985	152,128	210,289	229,657	256,859
WYOMING	7,171	8,959	11,359	13,656	17,415
NATIONWIDE TOTALS	7,998,978	8,400,566	9,723,890	10,635,382	11,068,147

AVERAGE ANNUAL AFDC/FC AND AFDC/FC ARREARS ONLY CSE CASELOAD FOR FIVE CONSECUTIVE YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	0	0	133,989	135,691	153,462
ALASKA	0	0	20,085	17,570	17,390
ARIZONA	0	0	59,992	79,489	99,572
ARKANSAS	0	0	56,018	52,970	44,297
CALIFORNIA	0	0	633,546	605,716	620,230
COLORADO	0	0	170,069	146,602	162,498
CONNECTICUT	0	0	67,269	73,070	78,785
DELAWARE	0	0	4,321	6,097	9,083
DISTRICT OF COLUMBIA	0	0	35,372	36,341	36,587
FLORIDA	0	0	331,898	392,467	364,745
GEORGIA	0	0	220,035	244,079	259,086
GUAM	0	0	3,271	2,744	3,419
HAWAII	0	0	26,724	31,337	34,871
IDAHO	0	0	25,377	26,273	27,589
ILLINOIS	0	0	603,356	547,361	424,143
INDIANA	0	0	223,355	241,192	257,330
IOWA	0	0	60,962	64,176	59,988
KANSAS	0	0	70,539	82,575	72,029
KENTUCKY	0	0	191,412	124,105	120,951
LOUISIANA	0	0	149,949	171,661	155,201
MAINE	0	0	33,855	36,390	38,847
MARYLAND	0	0	107,674	90,152	104,712
MASSACHUSETTS	0	0	80,265	88,449	151,579
MICHIGAN	0	0	544,137	590,241	633,197
MINNESOTA	0	0	86,959	92,661	102,314
MISSISSIPPI	0	0	96,703	114,704	134,683
MISSOURI	0	0	111,744	117,195	130,943
MONTANA	0	0	34,152	33,439	17,961
NEBRASKA	0	0	27,361	29,432	31,135
NEVADA	0	0	15,389	16,114	20,654
NEW HAMPSHIRE	0	0	16,299	16,551	7,612
NEW JERSEY	0	0	226,688	216,305	215,438
NEW MEXICO	0	0	69,708	73,147	22,390
NEW YORK	0	0	275,564	525,790	479,065
NORTH CAROLINA	0	0	145,951	156,888	161,140
NORTH DAKOTA	0	0	12,827	14,211	16,143
OHIO	0	0	484,636	505,549	471,995
OKLAHOMA	0	0	184,346	188,342	124,694
OREGON	0	0	88,019	105,302	128,874
PENNSYLVANIA	0	0	319,443	341,612	367,072
PUERTO RICO	0	0	68,690	75,471	83,218
RHODE ISLAND	0	0	24,329	24,732	27,177
SOUTH CAROLINA	0	0	105,506	103,339	93,676
SOUTH DAKOTA	0	0	17,696	14,280	14,148
TENNESSEE	0	0	115,495	129,530	153,591
TEXAS	0	0	123,506	138,348	159,177
UTAH	0	0	27,807	31,019	35,040
VERMONT	0	0	11,234	11,835	12,584
VIRGIN ISLANDS	0	0	3,526	4,199	5,131
VIRGINIA	0	0	311,366	202,441	131,912
WASHINGTON	0	0	142,504	159,271	147,121
WEST VIRGINIA	0	0	61,664	69,654	81,329
WISCONSIN	0	0	147,548	164,570	178,706
WYOMING	0	0	10,248	12,184	15,687
NATIONWIDE TOTALS	0	0	7,220,458	7,654,863	7,500,201

AVERAGE ANNUAL AFDC/FC CHILD SUPPORT ENFORCEMENT CASELOAD
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	102,158	116,284	99,832	94,445	106,722
ALASKA	15,476	19,564	18,547	10,130	9,814
ARIZONA	32,542	43,837	43,794	58,306	77,507
ARKANSAS	43,269	41,373	52,237	48,173	35,795
CALIFORNIA	670,737	677,792	633,546	523,066	507,410
COLORADO	113,544	125,137	104,576	70,431	87,709
CONNECTICUT	56,496	61,030	67,269	73,070	64,042
DELAWARE	6,704	4,035	4,321	6,097	9,083
DISTRICT OF COLUMBIA	34,507	33,486	32,033	32,672	32,312
FLORIDA	289,445	294,715	240,443	292,119	282,814
GEORGIA	126,498	156,518	175,990	191,287	206,389
GUAM	2,363	4,000	3,201	2,728	3,391
HAWAII	21,215	23,053	26,211	29,494	32,359
IDAHO	26,714	30,307	8,811	10,247	11,109
ILLINOIS	257,946	233,809	407,433	406,876	408,940
INDIANA	179,915	203,175	86,000	83,878	83,425
IOWA	63,694	59,591	35,656	37,877	38,942
KANSAS	115,484	122,583	53,341	63,304	52,364
KENTUCKY	181,757	205,259	159,117	78,618	75,463
LOUISIANA	127,203	134,956	149,019	170,599	154,243
MAINE	28,188	31,094	21,198	20,682	20,113
MARYLAND	161,839	164,161	94,564	75,160	87,594
MASSACHUSETTS	77,362	88,808	33,984	55,588	89,578
MICHIGAN	488,329	509,717	450,696	493,758	532,950
MINNESOTA	73,612	79,242	57,842	58,488	64,728
MISSISSIPPI	81,014	82,496	87,124	104,553	122,466
MISSOURI	108,881	109,076	72,549	72,767	79,588
MONTANA	34,052	32,221	26,297	26,098	10,810
NEBRASKA	19,984	22,124	25,002	19,224	12,934
NEVADA	15,859	15,309	9,692	8,781	10,165
NEW HAMPSHIRE	8,719	13,398	16,299	16,069	4,576
NEW JERSEY	235,245	238,594	194,079	179,329	177,731
NEW MEXICO	68,899	62,870	64,377	67,902	22,102
NEW YORK	490,496	265,626	239,676	292,799	335,034
NORTH CAROLINA	113,154	112,101	112,888	118,132	117,156
NORTH DAKOTA	10,129	11,234	7,107	6,272	6,599
OHIO	378,919	410,076	426,948	437,368	397,468
OKLAHOMA	66,260	127,077	51,351	52,558	43,463
OREGON	62,683	79,646	42,501	44,232	48,556
PENNSYLVANIA	259,646	275,556	295,295	307,012	317,859
PUERTO RICO	64,074	61,921	68,674	75,427	83,162
RHODE ISLAND	20,639	21,291	19,015	19,287	21,837
SOUTH CAROLINA	101,911	98,620	105,501	103,317	93,654
SOUTH DAKOTA	16,750	19,307	9,549	8,194	8,069
TENNESSEE	99,644	105,190	114,915	127,106	146,941
TEXAS	93,521	99,352	104,125	120,386	140,470
UTAH	31,833	32,826	13,432	15,233	14,761
VERMONT	10,278	10,312	9,389	6,578	6,984
VIRGIN ISLANDS	2,369	2,953	3,518	3,989	4,312
VIRGINIA	228,401	253,311	270,422	239,519	92,468
WASHINGTON	49,172	48,453	109,792	111,135	86,938
WEST VIRGINIA	38,102	42,349	46,524	49,180	58,630
WISCONSIN	121,264	125,375	133,244	144,834	153,421
WYOMING	6,676	8,151	9,769	11,661	14,457
NATIONWIDE TOTALS	6,135,571	6,241,541	5,748,715	5,775,947	5,707,399

AVERAGE ANNUAL NON-AFDC CSE CASELOAD
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	5,826	23,759	41,632	58,120	75,087
ALASKA	5,358	5,941	6,708	8,434	10,863
ARIZONA	19,402	25,879	28,765	32,043	34,681
ARKANSAS	6,466	8,693	6,960	18,758	21,166
CALIFORNIA	332,180	333,770	305,777	284,884	310,625
COLORADO	8,256	7,072	18,543	29,973	33,576
CONNECTICUT	12,943	17,404	20,391	21,241	21,910
DELAWARE	14,517	15,884	15,159	16,091	14,478
DISTRICT OF COLUMBIA	3,359	14,782	17,753	21,798	26,718
FLORIDA	36,441	48,178	75,866	126,517	148,262
GEORGIA	83,700	92,129	43,718	52,938	71,734
GUAM	578	685	703	682	830
HAWAII	6,961	7,995	10,846	14,853	16,795
IDAHO	2,544	2,797	4,650	5,368	9,162
ILLINOIS	27,633	32,316	59,311	60,239	80,920
INDIANA	14,256	19,444	28,395	36,699	43,994
IOWA	11,290	13,069	16,019	22,827	30,235
KANSAS	4,416	4,493	10,475	17,792	20,230
KENTUCKY	13,864	20,336	37,265	64,870	71,937
LOUISIANA	22,565	25,153	28,763	29,292	27,226
MAINE	3,676	5,736	7,987	10,763	12,453
MARYLAND	72,201	79,202	87,662	80,207	91,952
MASSACHUSETTS	17,618	19,444	41,382	50,566	65,213
MICHIGAN	142,266	182,010	216,257	240,016	253,334
MINNESOTA	22,296	25,488	30,293	34,198	40,259
MISSISSIPPI	1,623	4,871	11,210	29,859	59,172
MISSOURI	11,540	20,474	32,105	43,680	48,796
MONTANA	1,118	1,210	2,436	3,334	3,683
NEBRASKA	14,760	17,605	21,460	22,771	25,896
NEVADA	9,624	10,648	11,211	11,879	13,270
NEW HAMPSHIRE	9,503	8,584	7,109	9,315	13,156
NEW JERSEY	90,518	99,753	108,466	117,552	135,991
NEW MEXICO	4,804	5,218	5,941	6,686	46,134
NEW YORK	155,818	141,422	155,985	188,201	243,094
NORTH CAROLINA	24,507	33,302	44,787	57,908	68,723
NORTH DAKOTA	1,148	1,199	1,733	3,916	4,665
OHIO	33,704	51,625	85,340	122,769	181,783
OKLAHOMA	5,734	18,577	36,711	52,180	47,513
OREGON	46,173	49,330	41,142	46,567	52,160
PENNSYLVANIA	298,636	334,057	351,293	375,895	396,088
PUERTO RICO	39,481	55,591	61,802	58,977	65,651
RHODE ISLAND	15,214	16,932	22,328	20,454	12,290
SOUTH CAROLINA	3,604	6,772	14,458	21,675	41,375
SOUTH DAKOTA	851	1,121	2,492	3,279	4,024
TENNESSEE	51,733	61,724	80,335	106,490	137,558
TEXAS	93,958	107,776	109,996	152,661	186,758
UTAH	2,539	4,640	9,777	12,081	16,514
VERMONT	651	1,280	2,207	2,464	2,815
VIRGIN ISLANDS	2,262	2,809	3,257	3,686	4,158
VIRGINIA	5,093	5,997	14,816	45,525	66,880
WASHINGTON	20,545	23,708	39,778	54,110	70,156
WEST VIRGINIA	10,358	13,220	193	605	6,122
WISCONSIN	16,721	26,753	62,741	65,087	78,153
WYOMING	495	808	1,111	1,472	1,728
NATIONWIDE TOTALS	1,863,407	2,159,025	2,503,432	2,980,519	3,567,946

AVERAGE NUMBER OF TOTAL CSE CASES IN WHICH A COLLECTION WAS MADE ON AN OBLIGATION FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	16,059	14,156	24,130	24,705	28,182
ALASKA	4,440	4,325	3,754	4,765	5,255
ARIZONA	6,961	6,621	6,132	6,503	8,246
ARKANSAS	7,785	8,820	9,934	12,029	14,428
CALIFORNIA	155,606	170,428	153,634	163,476	187,326
COLORADO	7,356	9,663	9,672	11,119	12,169
CONNECTICUT	23,084	24,957	25,821	28,809	22,146
DELAWARE	6,472	7,286	7,225	7,931	7,678
DISTRICT OF COLUMBIA	2,899	2,932	3,183	3,402	3,939
FLORIDA	19,177	24,061	29,682	61,282	72,953
GEORGIA	14,965	12,144	21,611	30,005	38,767
GUAM	274	271	332	314	310
HAWAII	3,447	4,974	6,123	5,992	8,372
IDAHO	3,068	5,390	4,635	5,428	6,916
ILLINOIS	24,225	28,329	48,718	45,218	38,236
INDIANA	24,525	24,939	20,803	30,606	46,549
IOWA	16,472	16,784	16,543	15,005	19,739
KANSAS	6,569	5,527	8,913	11,766	15,022
KENTUCKY	9,007	10,376	16,323	24,061	24,634
LOUISIANA	16,965	18,472	20,926	21,672	23,972
MAINE	7,903	8,674	10,265	12,322	14,194
MARYLAND	42,028	42,015	50,280	26,200	15,394
MASSACHUSETTS	23,482	25,350	48,138	52,299	57,215
MICHIGAN	124,320	147,724	155,012	228,771	139,428
MINNESOTA	25,008	27,487	32,818	32,609	38,845
MISSISSIPPI	4,083	5,061	6,788	9,261	10,440
MISSOURI	4,034	13,078	19,117	24,861	33,285
MONTANA	1,733	1,944	2,336	2,316	2,282
NEBRASKA	9,339	10,236	12,500	14,213	16,002
NEVADA	7,003	7,730	6,997	6,252	7,118
NEW HAMPSHIRE	6,205	5,960	4,856	6,689	6,756
NEW JERSEY	74,096	73,554	79,697	79,177	80,644
NEW MEXICO	4,403	4,283	4,667	4,637	6,389
NEW YORK	106,857	112,808	116,134	119,652	125,646
NORTH CAROLINA	20,904	24,353	27,476	33,601	41,709
NORTH DAKOTA	1,681	1,922	2,524	2,892	3,525
OHIO	36,527	43,435	69,110	79,342	106,325
OKLAHOMA	4,623	5,511	7,528	9,955	12,448
OREGON	22,722	26,018	26,811	29,463	31,397
PENNSYLVANIA	144,014	150,586	176,992	176,105	189,773
PUERTO RICO	25,599	30,609	31,511	34,078	37,573
RHODE ISLAND	5,074	5,202	5,382	6,934	7,536
SOUTH CAROLINA	7,519	8,562	8,714	14,096	18,884
SOUTH DAKOTA	1,795	2,034	4,388	4,920	6,395
TENNESSEE	18,305	20,492	22,085	24,504	29,264
TEXAS	9,249	14,485	19,371	25,306	34,396
UTAH	6,575	6,277	8,143	9,594	11,517
VERMONT	2,320	2,722	3,354	3,891	4,096
VIRGIN ISLANDS	1,046	1,487	1,429	1,493	1,777
VIRGINIA	14,731	13,930	20,232	33,631	35,367
WASHINGTON	24,724	25,697	35,548	35,056	42,130
WEST VIRGINIA	2,372	2,619	3,283	4,253	6,137
WISCONSIN	33,469	65,087	62,873	75,801	100,168
WYOMING	539	530	1,098	1,306	2,376
NATIONWIDE TOTALS	1,193,718	1,337,917	1,525,551	1,739,568	1,861,270

AVERAGE NUMBER OF AFDC/FC CSE CASES IN WHICH A COLLECTION WAS MADE ON AN OBLIGATION FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	15,166	9,133	11,405	11,572	12,297
ALASKA	1,180	1,120	933	1,038	1,076
ARIZONA	1,813	1,851	1,374	1,478	2,036
ARKANSAS	4,591	5,207	5,181	5,506	6,236
CALIFORNIA	91,756	103,742	82,277	74,081	81,567
COLORADO	5,096	5,687	3,723	4,092	4,267
CONNECTICUT	14,600	15,565	16,013	13,337	7,304
DELAWARE	2,604	2,891	3,013	2,858	1,959
DISTRICT OF COLUMBIA	1,999	1,925	2,067	2,138	2,289
FLORIDA	15,596	16,468	16,310	30,114	26,883
GEORGIA	8,964	6,657	8,568	10,710	12,075
GUAM	193	206	198	197	170
HAWAII	3,126	4,622	2,197	3,175	3,447
IDAHO	2,482	4,343	1,106	1,245	1,391
ILLINOIS	17,622	18,299	13,997	14,352	15,003
INDIANA	22,553	22,058	11,287	16,188	25,748
IOWA	12,232	11,871	7,206	7,015	7,230
KANSAS	4,901	4,769	3,200	3,798	3,020
KENTUCKY	5,171	6,729	5,988	6,853	7,530
LOUISIANA	6,978	7,836	8,930	9,916	10,651
MAINE	6,970	7,178	4,437	4,734	4,975
MARYLAND	15,796	15,861	15,074	9,073	7,771
MASSACHUSETTS	23,482	25,350	10,015	17,211	17,072
MICHIGAN	74,189	59,049	45,120	58,364	28,699
MINNESOTA	13,933	14,872	13,497	12,442	13,803
MISSISSIPPI	3,627	3,742	3,530	4,544	4,899
MISSOURI	2,280	7,716	5,979	6,483	8,899
MONTANA	1,385	1,600	1,092	849	919
NEBRASKA	2,217	2,362	2,961	2,555	2,176
NEVADA	2,245	2,370	2,201	1,645	1,785
NEW HAMPSHIRE	1,169	1,021	749	981	943
NEW JERSEY	29,751	27,686	23,354	25,182	23,253
NEW MEXICO	2,779	2,034	2,785	2,175	3,125
NEW YORK	46,386	48,979	43,338	30,993	32,892
NORTH CAROLINA	13,104	14,216	15,732	17,089	18,056
NORTH DAKOTA	1,460	1,656	898	1,130	1,379
OHIO	28,771	32,582	37,016	35,273	34,110
OKLAHOMA	3,223	3,543	4,019	1,468	5,007
OREGON	6,202	6,687	6,016	5,935	6,286
PENNSYLVANIA	39,565	42,088	48,960	49,100	47,515
PUERTO RICO	2,683	3,736	3,458	3,588	3,647
RHODE ISLAND	3,133	3,233	2,241	3,092	4,258
SOUTH CAROLINA	5,571	5,785	6,008	10,495	13,524
SOUTH DAKOTA	1,279	1,532	1,492	1,887	2,218
TENNESSEE	7,273	8,336	8,959	9,430	10,709
TEXAS	4,674	5,652	8,353	9,167	11,931
UTAH	5,686	5,209	3,313	3,627	2,827
VERMONT	2,167	2,329	1,547	1,984	1,972
VIRGIN ISLANDS	121	199	222	220	227
VIRGINIA	13,815	13,054	12,189	10,813	9,797
WASHINGTON	15,900	15,895	15,204	18,110	20,646
WEST VIRGINIA	2,247	2,331	2,463	2,107	2,166
WISCONSIN	24,166	44,799	23,720	26,047	34,140
WYOMING	393	453	656	738	951
NATIONWIDE TOTALS	646,545	684,114	581,571	608,986	614,756

AVERAGE NUMBER OF NON-AFDC CSE CASES IN WHICH A COLLECTION WAS MADE ON AN OBLIGATION FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	893	5,023	11,133	11,563	14,258
ALASKA	3,260	3,205	2,564	3,184	3,484
ARIZONA	5,148	4,770	4,250	4,668	6,133
ARKANSAS	3,194	3,613	4,048	5,074	6,309
CALIFORNIA	63,650	66,686	71,357	77,448	87,623
COLORADO	2,260	3,976	3,187	4,537	5,387
CONNECTICUT	8,484	9,392	9,808	9,884	9,390
DELAWARE	3,788	4,395	4,212	5,073	5,719
DISTRICT OF COLUMBIA	980	1,007	1,116	1,264	1,650
FLORIDA	3,581	7,593	7,434	25,573	39,035
GEORGIA	6,001	5,487	8,284	14,883	19,830
GUAM	81	65	86	114	105
HAWAII	321	352	3,926	2,804	4,848
IDAHO	586	1,047	1,613	2,529	3,643
ILLINOIS	6,603	10,030	12,171	14,479	18,324
INDIANA	1,972	2,881	8,578	12,759	18,252
IOWA	4,240	4,913	5,095	3,441	8,183
KANSAS	1,668	758	3,095	5,268	7,923
KENTUCKY	3,836	3,647	9,091	15,549	14,644
LOUISIANA	9,987	10,636	11,948	11,695	13,255
MAINE	933	1,496	3,056	3,862	4,831
MARYLAND	26,232	26,154	30,875	12,685	7,623
MASSACHUSETTS	0	0	22,226	26,549	31,681
MICHIGAN	50,131	88,675	84,397	126,187	91,822
MINNESOTA	11,155	12,615	14,067	16,137	19,966
MISSISSIPPI	456	1,319	2,742	4,348	5,031
MISSOURI	1,754	5,362	10,001	14,676	19,246
MONTANA	348	344	478	808	737
NEBRASKA	7,122	7,874	9,108	10,548	12,684
NEVADA	4,758	5,360	3,929	3,212	3,696
NEW HAMPSHIRE	5,036	4,939	3,926	5,474	5,596
NEW JERSEY	44,345	45,868	53,091	51,706	53,472
NEW MEXICO	1,624	2,249	1,637	2,462	3,264
NEW YORK	60,471	63,829	66,234	67,460	73,262
NORTH CAROLINA	7,800	10,137	11,744	15,323	19,112
NORTH DAKOTA	221	266	653	865	1,135
OHIO	7,756	18,853	27,315	39,114	67,292
OKLAHOMA	1,400	1,968	2,977	4,867	6,536
OREGON	16,520	19,331	18,467	20,620	22,470
PENNSYLVANIA	104,449	108,498	123,878	123,248	137,351
PUERTO RICO	22,916	26,873	28,051	30,490	33,926
RHODE ISLAND	1,941	1,969	2,059	2,750	3,253
SOUTH CAROLINA	1,948	2,777	2,706	3,165	4,498
SOUTH DAKOTA	516	502	1,144	2,175	3,176
TENNESSEE	11,032	12,156	13,001	14,957	18,417
TEXAS	4,575	8,833	9,595	15,079	20,674
UTAH	889	1,068	2,750	4,008	5,825
VERMONT	153	393	570	967	1,171
VIRGIN ISLANDS	925	1,288	1,188	1,252	1,508
VIRGINIA	916	876	5,689	19,273	20,909
WASHINGTON	8,824	9,802	10,456	13,656	17,425
WEST VIRGINIA	125	288	157	1,953	3,830
WISCONSIN	9,303	20,288	34,146	41,953	56,694
WYOMING	146	77	413	563	1,360
NATIONWIDE TOTALS	547,173	653,803	785,706	934,177	1,067,468

TOTAL NUMBER OF PATERNITIES ESTABLISHED
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	4,921	6,750	6,727	6,998	7,527
ALASKA	98	84	252	364	602
ARIZONA	500	495	986	1,009	714
ARKANSAS	1,911	2,941	7,144	5,326	5,703
CALIFORNIA	24,378	23,820	25,110	28,570	36,001
COLORADO	1,187	1,426	1,451	1,291	1,541
CONNECTICUT	4,363	4,622	4,579	3,908	3,485
DELAWARE	929	1,120	1,986	1,867	1,584
DISTRICT OF COLUMBIA	471	583	664	1,021	1,055
FLORIDA	15,741	14,452	14,358	12,136	14,840
GEORGIA	6,518	5,809	12,323	14,112	21,321
GUAM	115	170	128	122	145
HAWAII	888	688	836	1,061	1,442
IDAHO	285	383	299	384	598
ILLINOIS	4,711	7,035	10,820	20,848	26,837
INDIANA	6,859	5,149	3,580	3,570	5,135
IOWA	1,072	1,366	1,853	1,664	1,893
KANSAS	484	325	528	1,119	1,505
KENTUCKY	2,774	3,315	3,464	3,881	4,306
LOUISIANA	3,180	4,235	4,234	2,926	3,460
MAINE	554	809	570	951	1,774
MARYLAND	8,290	9,263	8,167	6,671	9,248
MASSACHUSETTS	3,841	5,208	2,513	7,025	8,103
MICHIGAN	13,875	16,186	17,737	18,274	19,965
MINNESOTA	3,090	3,265	3,646	3,856	4,281
MISSISSIPPI	2,139	2,600	1,964	1,824	2,928
MISSOURI	17,046	14,423	10,208	14,308	7,812
MONTANA	33	54	128	179	316
NEBRASKA	449	430	461	710	766
NEVADA	356	477	503	531	630
NEW HAMPSHIRE	52	13	76	195	346
NEW JERSEY	11,739	13,853	13,731	13,938	13,034
NEW MEXICO	970	709	838	412	974
NEW YORK	17,403	16,595	16,929	18,239	17,153
NORTH CAROLINA	7,105	9,307	10,014	9,916	11,219
NORTH DAKOTA	488	538	838	1,134	1,022
OHIO	9,804	9,314	10,057	9,133	7,128
OKLAHOMA	562	590	430	512	1,049
OREGON	1,947	2,189	2,351	1,902	1,749
PENNSYLVANIA	13,404	15,613	17,443	15,277	16,156
PUERTO RICO	12	5	22	8	42
RHODE ISLAND	549	244	98	601	803
SOUTH CAROLINA	3,879	3,479	2,538	3,994	5,679
SOUTH DAKOTA	227	308	426	552	575
TENNESSEE	6,217	6,863	7,021	7,666	8,404
TEXAS	769	833	908	684	1,034
UTAH	1,669	1,418	1,103	1,292	1,477
VERMONT	379	388	688	1,091	2,188
VIRGIN ISLANDS	15	146	106	235	435
VIRGINIA	1,970	1,962	2,039	2,667	5,761
WASHINGTON	1,905	2,187	2,018	4,066	4,638
WEST VIRGINIA	378	223	194	288	798
WISCONSIN	6,895	7,304	7,812	8,750	8,654
WYOMING	32	218	113	105	79
NATIONWIDE TOTALS	219,360	231,838	244,996	269,161	306,898

Table 51

PATERNITIES ESTABLISHED BY AFDC/FC, NON-AFDC, AFDC/FC ARREARS ONLY
FISCAL YEAR 1988

STATES	TOTAL	AFDC	NON-AFDC	AFDC ARREARS ONLY
ALABAMA	7,527	5,248	1,898	381
ALASKA	602	380	130	92
ARIZONA	714	228	482	4
ARKANSAS	5,903	3,608	1,490	805
CALIFORNIA	36,001	30,526	5,475	0
COLORADO	1,541	1,349	137	55
CONNECTICUT	3,485	2,740	309	436
DELAWARE	1,584	1,228	356	0
DISTRICT OF COLUMBIA	1,055	707	348	0
FLORIDA	14,840	7,777	5,719	1,344
GEORGIA	21,321	9,739	8,893	2,689
GUAM	145	100	41	4
HAWAII	1,442	1,303	139	0
IDAHO	590	482	82	26
ILLINOIS	26,837	21,739	4,378	720
INDIANA	5,135	4,112	735	288
IOWA	1,893	1,480	400	13
KANSAS	1,505	1,249	201	55
KENTUCKY	4,306	2,852	1,454	0
LOUISIANA	3,460	3,073	367	20
MAINE	1,774	1,476	92	206
MARYLAND	9,248	7,578	1,670	0
MASSACHUSETTS	8,103	8,087	16	0
MICHIGAN	19,965	17,825	2,140	0
MINNESOTA	4,281	3,378	782	121
MISSISSIPPI	2,928	2,566	359	3
MISSOURI	7,812	5,161	1,966	685
MONTANA	316	306	8	2
NEBRASKA	766	554	202	10
NEVADA	630	448	157	25
NEW HAMPSHIRE	346	303	43	0
NEW JERSEY	13,034	9,790	2,865	379
NEW MEXICO	974	793	181	0
NEW YORK	17,153	13,404	3,749	0
NORTH CAROLINA	11,219	7,796	3,052	371
NORTH DAKOTA	1,022	668	176	178
OHIO	7,128	6,181	927	20
OKLAHOMA	1,049	823	226	0
OREGON	1,749	1,588	141	20
PENNSYLVANIA	16,156	12,137	3,652	367
PUERTO RICO	42	42	0	0
RHODE ISLAND	803	787	16	0
SOUTH CAROLINA	5,679	4,518	1,161	0
SOUTH DAKOTA	575	382	112	81
TENNESSEE	8,404	5,307	3,094	3
TEXAS	1,034	678	308	48
UTAH	1,477	879	315	283
VERMONT	2,188	1,591	475	122
VIRGIN ISLANDS	435	205	230	0
VIRGINIA	5,761	4,471	1,290	0
WASHINGTON	4,638	3,342	945	351
WEST VIRGINIA	790	594	190	6
WISCONSIN	8,654	7,744	902	8
WYOMING	79	74	5	0
NATIONWIDE TOTALS	96,098	231,396	64,481	10,221

TOTAL NUMBER OF SUPPORT OBLIGATIONS ESTABLISHED FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	11,615	17,781	11,476	12,182	13,423
ALASKA	1,145	1,311	2,026	2,376	2,225
ARIZONA	2,145	2,761	2,587	2,385	1,704
ARKANSAS	4,666	5,698	12,704	9,070	9,312
CALIFORNIA	56,528	54,310	54,651	49,982	49,267
COLORADO	4,204	5,576	4,599	4,034	4,220
CONNECTICUT	10,115	8,389	9,398	6,632	10,183
DELAWARE	1,406	1,953	3,669	3,340	3,425
DISTRICT OF COLUMBIA	879	701	732	1,236	1,590
FLORIDA	16,686	21,037	28,339	28,175	32,093
GEORGIA	9,894	8,687	12,323	14,747	20,318
GUAM	81	146	105	152	179
HAWAII	3,297	3,234	2,434	2,251	2,746
IDAHO	648	861	696	1,023	1,272
ILLINOIS	19,198	20,019	19,455	21,278	33,288
INDIANA	12,556	12,307	15,788	23,750	22,738
IOWA	10,701	7,358	8,725	8,264	6,587
KANSAS	1,823	1,800	1,896	2,235	2,785
KENTUCKY	6,181	6,048	7,639	9,284	10,914
LOUISIANA	23,617	21,419	15,155	16,553	16,665
MAINE	3,657	4,093	4,891	5,217	5,648
MARYLAND	22,818	27,592	32,797	36,908	21,808
MASSACHUSETTS	9,806	11,950	17,887	40,477	47,661
MICHIGAN	24,826	35,416	57,845	84,492	109,247
MINNESOTA	10,243	10,130	9,798	8,372	10,430
MISSISSIPPI	1,680	3,065	2,418	1,921	2,783
MISSOURI	25,053	51,918	38,528	22,225	13,349
MONTANA	625	881	955	508	816
NEBRASKA	737	662	1,147	1,484	1,256
NEVADA	3,858	3,339	3,405	4,106	3,139
NEW HAMPSHIRE	425	387	424	408	443
NEW JERSEY	32,484	37,724	29,300	32,704	35,335
NEW MEXICO	3,672	3,044	2,691	2,164	4,044
NEW YORK	45,144	43,733	51,063	46,108	33,572
NORTH CAROLINA	12,467	17,277	10,764	16,859	18,502
NORTH DAKOTA	647	523	878	1,162	1,451
OHIO	14,475	14,080	15,680	15,741	18,051
OKLAHOMA	4,549	4,113	4,793	3,752	4,062
OREGON	5,323	5,830	4,635	5,053	5,813
PENNSYLVANIA	73,671	99,619	108,188	130,639	151,163
PUERTO RICO	12,305	12,764	12,427	13,413	14,991
RHODE ISLAND	2,517	2,322	3,046	2,607	2,793
SOUTH CAROLINA	5,862	4,747	3,613	6,117	6,932
SOUTH DAKOTA	516	653	1,035	1,690	1,493
TENNESSEE	9,234	10,742	13,045	16,536	20,881
TEXAS	10,437	12,461	31,671	32,881	7,673
UTAH	7,894	6,551	5,331	5,217	5,412
VERMONT	1,465	2,671	2,152	2,345	3,235
VIRGIN ISLANDS	462	886	541	529	652
VIRGINIA	3,913	7,594	7,785	19,509	30,034
WASHINGTON	9,416	9,961	7,767	10,312	11,118
WEST VIRGINIA	606	700	464	843	1,157
WISCONSIN	14,656	18,860	20,685	20,445	20,283
WYOMING	325	458	522	453	332
NATIONWIDE TOTALS	573,313	668,942	730,560	812,132	866,493

NUMBER OF SUPPORT OBLIGATIONS ESTABLISHED BY AFDC/FC, NON-AFDC, AND AFDC/FC ARREARS ONLY
FISCAL YEAR 1988

STATES	TOTAL	AFDC	NON-AFDC	AFDC ARREARS ONLY
ALABAMA	13,423	7,658	4,263	1,502
ALASKA	2,225	944	588	693
ARIZONA	1,704	672	977	55
ARKANSAS	9,312	5,115	4,197	0
CALIFORNIA	49,267	30,180	12,376	6,711
COLORADO	4,220	2,676	1,033	511
CONNECTICUT	10,183	5,515	1,217	3,451
DELAWARE	3,425	2,282	1,143	0
DISTRICT OF COLUMBIA	1,590	908	682	0
FLORIDA	32,093	13,461	16,799	1,833
GEORGIA	26,318	11,268	11,657	3,393
GUAM	179	120	41	18
HAWAII	2,746	2,322	414	10
IDAHO	1,272	1,005	180	87
ILLINOIS	33,288	16,081	14,851	2,356
INDIANA	22,738	11,173	10,111	1,454
IOWA	6,587	4,229	2,072	286
KANSAS	2,785	1,899	812	74
KENTUCKY	10,914	4,953	5,961	0
LOUISIANA	16,665	6,504	10,121	40
MAINE	5,648	2,748	1,907	993
MARYLAND	21,808	15,310	6,498	0
MASSACHUSETTS	47,661	21,798	16,910	8,953
MICHIGAN	109,247	39,943	67,304	0
MINNESOTA	10,430	6,563	2,825	1,042
MISSISSIPPI	2,783	2,216	565	2
MISSOURI	13,349	8,740	3,144	1,465
MONTANA	816	722	74	20
NEBRASKA	1,256	837	392	27
NEVADA	3,139	1,209	1,441	489
NEW HAMPSHIRE	443	349	94	0
NEW JERSEY	35,335	14,553	17,827	2,955
NEW MEXICO	4,044	2,368	1,673	3
NEW YORK	33,572	15,527	11,103	6,942
NORTH CAROLINA	18,502	11,507	6,259	736
NORTH DAKOTA	1,451	871	257	323
OHIO	18,051	10,346	7,345	360
OKLAHOMA	4,062	2,548	1,514	0
OREGON	5,813	4,709	1,057	47
PENNSYLVANIA	151,163	47,252	90,052	13,859
PUERTO RICO	14,991	922	14,069	0
RHODE ISLAND	2,793	2,055	585	153
SOUTH CAROLINA	6,932	5,069	1,827	36
SOUTH DAKOTA	1,493	908	336	249
TENNESSEE	20,891	11,680	8,934	267
TEXAS	7,673	3,936	3,123	614
UTAH	5,412	2,871	2,185	356
VERMONT	3,235	1,848	486	901
VIRGIN ISLANDS	652	229	411	12
VIRGINIA	30,034	7,487	14,063	8,484
WASHINGTON	11,118	8,599	2,188	351
WEST VIRGINIA	1,157	654	502	1
WISCONSIN	20,283	13,269	5,881	1,133
WYOMING	332	233	99	0
NATIONWIDE TOTALS	866,493	398,841	394,405	73,247

NUMBER OF FAMILIES REMOVED FROM AFDC WITH CHILD SUPPORT COLLECTIONS
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	968	324	425	480	385
ALASKA	40	13	220	581	313
ARIZONA	0	0	0	0	0
ARKANSAS	159	109	3,128	3,973	4,484
CALIFORNIA	88	445	8,714	17,607	18,398
COLORADO	2,629	618	1,196	1,648	1,385
CONNECTICUT	228	667	383	594	240
DELAWARE	62	54	0	0	365
DISTRICT OF COLUMBIA	75	0	0	0	0
FLORIDA	819	305	0	0	1,062
GEORGIA	1,302	1,600	3,118	5,427	7,424
GUAM	0	0	10	23	6
HAWAII	114	140	104	161	118
IDAHO	8	38	827	723	855
ILLINOIS	765	615	1,571	4,923	8,229
INDIANA	863	154	12,282	5,124	4,280
IOWA	78	21	1,516	1,620	1,836
KANSAS	270	194	1,836	2,112	2,236
KENTUCKY	287	257	1,282	2,189	2,387
LOUISIANA	767	645	610	221	247
MAINE	167	197	1,839	2,213	2,499
MARYLAND	1,074	0	3,583	2,744	2,889
MASSACHUSETTS	664	1,258	144,934	8,655	8,754
MICHIGAN	1,059	570	445	489	421
MINNESOTA	1,459	808	5,175	5,458	7,255
MISSISSIPPI	23	68	1,622	1,494	1,667
MISSOURI	0	0	48,068	53,355	5,366
MONTANA	90	53	52	41	9
NEBRASKA	7	23	21	8	16
NEVADA	80	79	126	115	96
NEW HAMPSHIRE	0	28	18	0	204
NEW JERSEY	4,450	4,386	7,006	10,150	11,638
NEW MEXICO	20	51	174	90	8
NEW YORK	5,124	6,105	5,771	37,295	63,601
NORTH CAROLINA	333	145	117	150	70
NORTH DAKOTA	2,207	1,673	2,044	1,145	1,438
OHIO	338	226	131	135	192
OKLAHOMA	199	101	12,906	2,749	4,254
OREGON	205	113	88	94	2,911
PENNSYLVANIA	1,390	665	6,784	7,954	10,132
PUERTO RICO	2,399	1,032	13	12	8
RHODE ISLAND	363	282	1,278	569	637
SOUTH CAROLINA	1,475	1,067	158	77	51
SOUTH DAKOTA	112	36	745	1,082	1,164
TENNESSEE	2,857	2,730	1,661	1,690	2,325
TEXAS	3,618	2,851	2,210	2,236	2,008
UTAH	321	647	670	953	1,043
VERMONT	0	0	348	1,321	1,444
VIRGIN ISLANDS	0	1	5	64	305
VIRGINIA	77	111	187	1,174	4,229
WASHINGTON	0	0	506	1,388	4,541
WEST VIRGINIA	775	689	509	485	578
WISCONSIN	647	903	1,014	997	1,565
WYOMING	7	0	8	115	131
NATIONWIDE TOTALS	41,062	33,897	287,359	193,903	197,699

PERCENTAGE OF AFDC/FC ASSISTANCE PAYMENTS RECOVERED THROUGH CHILD SUPPORT COLLECTIONS
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	12.8	21.0	21.2	23.2	25.5
ALASKA	4.6	4.6	5.6	8.3	10.5
ARIZONA	3.2	2.5	3.5	5.1	4.1
ARKANSAS	13.3	15.2	16.6	17.6	19.4
CALIFORNIA	4.8	4.5	5.7	6.1	6.4
COLORADO	8.4	9.3	10.5	9.5	10.2
CONNECTICUT	9.8	10.1	11.4	12.2	12.4
DELAWARE	12.7	14.6	16.3	17.3	19.6
DISTRICT OF COLUMBIA	3.0	3.3	3.6	3.8	4.2
FLORIDA	12.3	10.0	10.1	11.5	10.7
GEORGIA	7.5	9.8	9.7	10.4	10.7
GUAM	6.2	6.4	7.6	9.1	10.8
HAWAII	5.4	6.6	7.6	8.9	8.9
IDAHO	18.8	22.6	24.8	25.0	29.0
ILLINOIS	2.9	3.2	4.0	4.8	5.4
INDIANA	14.8	16.1	20.2	21.5	21.1
IOWA	14.2	15.0	18.2	19.3	20.1
KANSAS	8.4	11.6	12.6	14.1	12.6
KENTUCKY	4.7	6.8	8.0	8.5	11.5
LOUISIANA	7.1	8.4	8.9	9.1	9.8
MAINE	14.0	13.4	16.7	20.6	21.1
MARYLAND	10.6	11.6	12.9	11.2	12.3
MASSACHUSETTS	13.3	11.3	11.5	10.7	12.0
MICHIGAN	8.8	9.7	12.8	12.5	12.5
MINNESOTA	10.0	10.5	13.1	12.7	14.0
MISSISSIPPI	8.5	7.9	8.1	9.4	10.6
MISSOURI	7.3	8.5	9.8	12.0	13.5
MONTANA	8.4	10.7	11.0	8.6	8.2
NEBRASKA	7.6	10.0	10.7	11.5	12.6
NEVADA	17.3	14.9	18.3	16.4	14.8
NEW HAMPSHIRE	11.3	12.4	12.1	15.2	13.5
NEW JERSEY	10.3	9.7	11.4	12.5	14.5
NEW MEXICO	7.2	7.3	9.4	7.4	4.4
NEW YORK	3.6	4.0	4.3	5.0	5.3
NORTH CAROLINA	14.1	15.0	15.2	17.4	18.4
NORTH DAKOTA	14.6	14.7	15.8	16.8	19.0
OHIO	5.5	6.2	8.9	10.1	10.3
OKLAHOMA	6.6	7.5	7.2	6.4	7.3
OREGON	12.1	13.3	13.1	13.0	12.8
PENNSYLVANIA	8.0	8.4	10.5	11.0	12.3
PUERTO RICO	1.8	2.4	2.7	2.7	2.6
RHODE ISLAND	7.1	7.0	7.5	7.6	9.1
SOUTH CAROLINA	11.7	8.6	10.2	13.1	14.0
SOUTH DAKOTA	12.3	12.9	13.8	14.4	17.0
TENNESSEE	7.8	6.5	9.7	10.3	14.9
TEXAS	7.0	6.9	6.2	6.2	7.9
UTAH	23.0	22.7	22.7	19.6	21.5
VERMONT	6.7	8.4	10.4	11.1	12.7
VIRGIN ISLANDS	5.0	7.6	7.7	8.3	12.3
VIRGINIA	7.3	8.3	7.7	9.0	10.7
WASHINGTON	9.9	9.8	10.3	10.9	12.4
WEST VIRGINIA	5.2	5.1	7.5	7.8	6.9
WISCONSIN	8.5	8.8	11.5	12.4	14.5
WYOMING	7.3	5.5	8.8	8.2	10.1
NATIONWIDE TOTALS	7.0	7.3	8.6	9.1	9.7

IV-A CASES IN WHICH CUSTODIAL PARENTS CLAIMED GOOD CAUSE FOR REFUSING TO COOPERATE IN ESTABLISHING PATERNITY AND SECURING CHILD SUPPORT, AND IV-A CASES IN WHICH GOOD CAUSE CLAIMS WERE FOUND VALID, FY 1988

STATE	REFUSALS FOR ANY REASON	GOOD CAUSE FOUND
ALABAMA	64	27
ALASKA	8	6
ARIZONA	83	24
ARKANSAS	61	57
CALIFORNIA	890	365
COLORADO	181	124
CONNECTICUT	91	49
DELAWARE	10	8
DISTRICT OF COLUMBIA	0	0
FLORIDA	67	21
GEORGIA	93	86
GUAM	0	0
HAWAII	52	42
IDAHO	10	8
ILLINOIS	175	138
INDIANA	77	56
IOWA	59	33
KANSAS	35	29
KENTUCKY	102	79
LOUISIANA	160	108
MAINE	38	19
MARYLAND	46	18
MASSACHUSETTS	0	0
MICHIGAN	795	466
MINNESOTA	611	325
MISSISSIPPI	8	6
MISSOURI	45	34
MONTANA	42	38
NEBRASKA	34	18
NEVADA	119	61
NEW HAMPSHIRE	7	7
NEW JERSEY	152	101
NEW MEXICO	25	19
NEW YORK	202	199
NORTH CAROLINA	77	59
NORTH DAKOTA	49	34
OHIO	349	223
OKLAHOMA	309	210
OREGON	228	234
PENNSYLVANIA	178	143
PUERTO RICO	23	21
RHODE ISLAND	17	15
SOUTH CAROLINA	75	75
SOUTH DAKOTA	52	38
TENNESSEE	134	102
TEXAS	5	5
UTAH	150	99
VERMONT	58	42
VIRGIN ISLANDS	0	0
VIRGINIA	162	143
WASHINGTON	1,367	822
WEST VIRGINIA	61	40
WISCONSIN	412	184
WYOMING	70	36
NATIONWIDE TOTALS	8,198	5,096

TOTAL CHILD SUPPORT COLLECTIONS PER DOLLAR OF TOTAL ADMINISTRATIVE EXPENDITURES
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	1.11	2.00	2.45	2.69	2.50
ALASKA	2.39	2.26	2.61	3.05	3.46
ARIZONA	2.18	2.15	1.46	2.21	2.11
ARKANSAS	1.63	1.90	2.62	2.94	2.94
CALIFORNIA	2.31	2.32	2.37	2.52	2.75
COLORADO	1.72	2.08	1.89	1.98	1.99
CONNECTICUT	3.36	3.38	3.49	2.91	2.73
DELAWARE	4.64	5.62	2.46	3.07	2.62
DISTRICT OF COLUMBIA	0.90	1.06	0.92	0.97	1.21
FLORIDA	2.43	2.10	2.12	1.98	2.28
GEORGIA	1.80	2.23	2.59	3.16	2.88
GUAM	1.52	1.46	1.39	1.53	1.62
HAWAII	2.37	2.38	2.26	3.10	3.62
IDAHO	1.86	1.93	3.58	4.86	3.79
ILLINOIS	2.31	2.14	2.40	2.51	2.68
INDIANA	3.29	3.79	4.82	5.22	5.49
IOWA	5.69	5.92	6.77	6.12	6.36
KANSAS	2.32	2.05	2.15	2.58	2.51
KENTUCKY	2.75	2.68	2.52	2.59	2.44
LOUISIANA	1.96	2.13	1.99	2.28	2.60
MAINE	3.75	3.98	3.74	3.75	4.01
MARYLAND	4.15	3.86	3.77	3.02	3.31
MASSACHUSETTS	3.55	3.57	3.50	3.46	4.09
MICHIGAN	6.86	7.62	8.33	9.52	0.00
MINNESOTA	2.94	2.91	3.02	3.51	3.59
MISSISSIPPI	1.77	2.02	2.29	3.36	3.06
MISSOURI	2.64	3.05	3.89	4.55	4.22
MONTANA	2.27	2.46	2.59	3.16	2.97
NEBRASKA	5.69	6.32	5.44	5.20	5.02
NEVADA	1.91	2.04	2.10	2.30	1.95
NEW HAMPSHIRE	5.16	4.96	4.39	5.33	4.93
NEW JERSEY	4.55	4.67	4.64	4.47	4.12
NEW MEXICO	1.71	1.90	2.27	1.99	1.76
NEW YORK	2.03	1.96	1.83	1.98	2.36
NORTH CAROLINA	2.65	2.94	3.26	3.83	3.32
NORTH DAKOTA	2.31	2.29	2.46	2.65	3.14
OHIO	1.95	3.38	4.41	5.65	10.83
OKLAHOMA	1.36	1.46	1.78	2.22	2.48
OREGON	3.01	4.05	4.47	4.03	4.27
PENNSYLVANIA	8.37	6.68	7.78	7.56	8.51
PUERTO RICO	24.61	11.95	14.02	18.93	17.60
RHODE ISLAND	3.36	3.52	3.90	3.31	3.65
SOUTH CAROLINA	2.49	1.70	2.37	3.01	3.23
SOUTH DAKOTA	2.33	2.36	2.74	2.96	3.50
TENNESSEE	3.17	2.88	3.31	3.07	4.09
TEXAS	1.77	2.17	2.01	2.60	2.81
UTAH	2.01	1.95	2.21	2.39	2.86
VERMONT	2.44	2.58	2.34	2.95	3.31
VIRGIN ISLANDS	3.48	3.27	2.14	4.13	4.16
VIRGINIA	1.74	1.85	1.57	2.41	2.39
WASHINGTON	2.43	2.48	2.42	2.56	2.48
WEST VIRGINIA	1.52	1.66	1.98	2.00	2.16
WISCONSIN	3.25	3.73	4.78	6.20	6.01
WYOMING	2.58	1.64	3.27	4.64	4.91
NATIONWIDE TOTALS	3.29	3.31	3.45	3.68	3.94

Table 62

AFDC/FC CHILD SUPPORT COLLECTIONS PER DOLLAR OF TOTAL ADMINISTRATIVE EXPENDITURES
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	0.82	1.16	1.09	1.01	0.89
ALASKA	0.40	0.43	0.57	0.75	0.98
ARIZONA	0.33	0.27	0.29	0.53	0.42
ARKANSAS	1.08	1.20	1.43	1.59	1.51
CALIFORNIA	1.23	1.17	1.21	1.27	1.36
COLORADO	1.02	1.06	1.11	0.94	0.93
CONNECTICUT	1.71	1.66	1.67	1.34	1.21
DELAWARE	1.66	2.02	0.80	0.92	0.80
DISTRICT OF COLUMBIA	0.50	0.59	0.49	0.58	0.56
FLORIDA	1.74	1.21	0.95	0.81	0.74
GEORGIA	1.44	1.63	1.57	1.66	1.26
GUAM	0.93	0.95	0.78	0.73	0.72
HAWAII	1.03	1.05	0.98	1.10	1.55
IDAHO	1.53	1.43	1.57	1.52	1.30
ILLINOIS	1.31	1.09	1.07	1.08	1.04
INDIANA	2.84	2.77	3.04	2.71	2.69
IOWA	3.87	4.11	4.34	3.51	3.22
KANSAS	1.73	1.75	1.35	1.41	1.02
KENTUCKY	0.78	1.01	1.01	0.93	1.05
LOUISIANA	0.74	0.81	0.80	0.90	1.05
MAINE	3.01	2.97	2.70	2.60	2.48
MARYLAND	1.31	1.30	1.24	0.85	0.90
MASSACHUSETTS	1.81	1.68	1.61	1.45	1.78
MICHIGAN	2.40	2.50	2.46	2.29	2.00
MINNESOTA	1.61	1.52	1.49	1.58	1.47
MISSISSIPPI	1.64	1.41	1.15	1.65	1.45
MISSOURI	1.52	1.50	1.32	1.49	1.29
MONTANA	1.78	2.01	1.93	2.00	1.78
NEBRASKA	1.01	1.24	0.93	0.85	0.75
NEVADA	0.52	0.48	0.67	0.62	0.55
NEW HAMPSHIRE	1.07	0.98	0.72	0.83	0.
NEW JERSEY	1.25	1.19	1.17	1.07	0.99
NEW MEXICO	1.10	1.13	1.38	0.95	0.44
NEW YORK	0.77	0.78	0.68	0.75	0.88
NORTH CAROLINA	1.49	1.54	1.64	1.82	1.45
NORTH DAKOTA	1.61	1.67	1.65	1.70	1.85
OHIO	1.88	1.94	2.09	2.09	2.44
OKLAHOMA	1.01	1.04	0.99	0.97	1.00
OREGON	0.98	1.44	1.39	1.11	1.10
PENNSYLVANIA	1.48	1.13	1.40	1.28	1.44
PUERTO RICO	0.35	0.34	0.41	0.52	0.41
RHODE ISLAND	2.11	2.09	2.20	1.70	1.83
SOUTH CAROLINA	1.97	1.19	1.15	1.19	1.01
SOUTH DAKOTA	1.80	1.73	1.64	1.44	1.51
TENNESSEE	0.92	0.72	1.03	0.97	1.51
TEXAS	0.94	1.14	0.82	0.84	0.92
UTAH	1.59	1.33	1.20	1.13	1.26
VERMONT	2.26	2.21	1.84	2.14	2.26
VIRGIN ISLANDS	0.37	0.29	0.22	0.33	0.35
VIRGINIA	1.50	1.58	0.87	0.64	0.57
WASHINGTON	1.54	1.40	1.32	1.36	1.23
WEST VIRGINIA	1.48	1.61	1.86	1.16	0.75
WISCONSIN	2.21	2.21	2.11	2.30	1.96
WYOMING	1.76	1.06	1.67	2.14	2.09
NATIONWIDE TOTALS	1.38	1.34	1.30	1.27	1.27

NON-AFDC CHILD SUPPORT COLLECTIONS PER DOLLAR OF TOTAL ADMINISTRATIVE EXPENDITURES
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	0.30	0.83	1.36	1.68	1.61
ALASKA	1.99	1.83	2.04	2.29	2.47
ARIZONA	1.84	1.87	1.17	1.68	1.69
ARKANSAS	0.55	0.70	1.20	1.35	1.44
CALIFORNIA	1.08	1.15	1.16	1.26	1.38
COLORADO	0.70	1.01	0.79	0.95	1.06
CONNECTICUT	1.65	1.73	1.82	1.56	1.52
DELAWARE	2.97	3.60	1.66	2.15	1.83
DISTRICT OF COLUMBIA	0.39	0.47	0.43	0.47	0.65
FLORIDA	0.69	0.90	1.17	1.17	1.55
GEORGIA	0.37	0.59	1.01	1.50	1.62
GUAM	0.59	0.51	0.61	0.80	0.90
HAWAII	1.33	1.32	1.27	1.99	2.06
IDAHO	0.34	0.49	2.01	2.55	2.50
ILLINOIS	0.99	1.04	1.33	1.42	1.64
INDIANA	0.44	1.02	1.77	2.51	2.80
IOWA	1.82	1.81	2.43	2.61	3.14
KANSAS	0.59	0.30	0.80	1.17	1.50
KENTUCKY	1.96	1.67	1.51	1.66	1.39
LOUISIANA	1.22	1.32	1.18	1.38	1.55
MAINE	0.73	1.01	1.04	1.15	1.53
MARYLAND	2.84	2.56	2.53	2.18	2.41
MASSACHUSETTS	1.74	1.89	1.88	2.01	2.31
MICHIGAN	4.46	5.12	5.87	7.24	6.80
MINNESOTA	1.33	1.39	1.53	1.93	2.12
MISSISSIPPI	0.13	0.61	1.14	1.71	1.61
MISSOURI	1.11	1.55	2.56	3.06	2.93
MONTANA	0.49	0.45	0.67	1.17	1.19
NEBRASKA	4.68	5.08	4.52	4.35	4.28
NEVADA	1.39	1.55	1.43	1.67	1.40
NEW HAMPSHIRE	4.09	3.98	3.67	4.50	4.18
NEW JERSEY	3.30	3.47	3.47	3.40	3.13
NEW MEXICO	0.62	0.77	0.89	1.05	1.32
NEW YORK	1.27	1.18	1.15	1.23	1.48
NORTH CAROLINA	1.17	1.40	1.62	2.00	1.87
NORTH DAKOTA	0.70	0.62	0.82	0.95	1.29
OHIO	0.08	1.43	2.31	3.56	8.39
OKLAHOMA	0.35	0.42	0.79	1.25	1.47
OREGON	2.03	2.61	3.08	2.92	3.17
PENNSYLVANIA	6.89	5.55	6.39	6.20	7.07
PUERTO RICO	24.26	11.61	13.61	18.42	17.19
RHODE ISLAND	1.25	1.43	1.70	1.61	1.82
SOUTH CAROLINA	0.52	0.51	1.22	1.83	2.22
SOUTH DAKOTA	0.53	0.64	1.10	1.52	1.99
TENNESSEE	2.25	2.16	2.28	2.10	2.58
TEXAS	0.83	1.03	1.19	1.76	1.89
UTAH	0.42	0.62	1.01	1.26	1.60
VERMONT	0.18	0.37	0.50	0.82	1.05
VIRGIN ISLANDS	3.11	2.97	1.91	3.80	3.81
VIRGINIA	0.24	0.27	0.70	1.78	1.82
WASHINGTON	0.89	1.08	1.09	1.20	1.24
WEST VIRGINIA	0.04	0.05	0.12	0.84	1.41
WISCONSIN	1.04	1.52	2.66	3.90	4.06
WYOMING	0.82	0.58	1.61	2.50	2.83
NATIONWIDE TOTAL[9]	1.91	1.97	2.15	2.41	2.67

Table 69

FEDERAL INCOME TAX REFUND OFFSET PROGRAM COLLECTIONS FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$2,438,075	$3,208,116	$4,158,370	$5,134,530	$5,735,316
ALASKA	302,922	364,352	730,773	891,177	1,087,192
ARIZONA	748,557	1,061,518	1,735,826	2,049,100	2,677,876
ARKANSAS	1,306,540	1,885,789	3,536,308	3,769,850	3,874,194
CALIFORNIA	34,378,912	34,926,396	45,040,352	46,286,565	48,630,233
COLORADO	2,771,764	2,392,575	3,096,581	3,020,479	3,342,502
CONNECTICUT	4,193,916	4,223,787	5,696,890	6,140,042	7,904,102
DELAWARE	1,113,150	1,284,104	1,270,313	1,318,987	1,464,924
DISTRICT OF COLUMBIA	694,106	746,926	761,360	778,803	652,211
FLORIDA	2,932,974	3,937,836	5,782,072	7,317,971	13,080,771
GEORGIA	2,684,691	3,710,746	6,561,813	7,257,829	8,833,068
GUAM	20,822	13,562		43,735	14,045
HAWAII	986,024	846,387	1,079,724	1,121,934	1,371,991
IDAHO	1,199,305	1,203,527	1,428,403	1,593,848	1,836,506
ILLINOIS	8,651,417	9,018,581	13,808,087	15,415,049	15,167,375
INDIANA	8,537,166	8,975,438	11,780,348	11,389,957	13,447,280
IOWA	6,503,704	6,783,766	8,006,046	7,798,078	8,835,337
KANSAS	2,634,443	2,904,537	3,460,795	3,703,519	4,346,414
KENTUCKY	2,043,980	2,298,529	3,099,365	3,261,918	6,313,869
LOUISIANA	1,958,915	2,487,475	4,443,007	4,722,260	5,388,385
MAINE	2,114,258	2,126,207	2,483,995	3,377,197	4,062,530
MARYLAND	6,333,562	6,118,488	9,425,858	9,645,911	14,765,437
MASSACHUSETTS	2,992,203	4,224,674	4,759,597	5,269,023	12,137,128
MICHIGAN	19,174,089	20,013,492	27,204,565	25,893,309	28,295,861
MINNESOTA	5,925,460	5,904,025	6,967,590	6,762,396	7,510,456
MISSISSIPPI	1,535,952	1,976,454	2,161,479	2,252,051	2,958,347
MISSOURI	4,607,125	4,849,186	7,124,967	8,481,658	10,992,690
MONTANA	610,862	857,855	1,151,151	1,209,404	1,223,531
NEBRASKA	784,106	1,204,572	1,240,436	1,395,395	2,315,912
NEVADA	366,334	389,049	477,143	432,571	496,263
NEW HAMPSHIRE	545,252	662,364	1,346,108	1,283,608	1,237,482
NEW JERSEY	10,232,231	11,449,337	13,831,313	14,267,810	15,195,181
NEW MEXICO	702,254	1,315,407	1,719,059	2,277,767	2,434,052
NEW YORK	8,247,539	11,996,379	17,419,887	27,991,436	24,030,222
NORTH CAROLINA	4,616,756	4,290,753	7,561,568	7,229,286	9,352,351
NORTH DAKOTA	560,929	534,445	774,297	847,989	791,912
OHIO	5,145,031	7,229,010	8,705,343	11,185,599	14,164,131
OKLAHOMA	1,796,087	2,178,542	2,519,402	2,217,930	3,328,439
OREGON	3,520,661	3,566,932	5,479,093	4,862,510	5,080,050
PENNSYLVANIA	13,567,884	13,549,899	17,430,478	17,123,072	19,880,479
PUERTO RICO	22,852	13,047		13,408	51,924
RHODE ISLAND	742,855	775,077	967,250	888,388	1,439,176
SOUTH CAROLINA	719,987	832,341	1,238,379	1,788,816	2,197,304
SOUTH DAKOTA	510,993	623,409	980,389	997,728	1,269,796
TENNESSEE	1,221,963	1,591,819	2,178,356	3,025,410	6,256,119
TEXAS	4,994,786	5,927,713	9,757,440	11,316,080	14,128,517
UTAH	2,558,126	2,764,993	2,992,094	2,990,918	3,389,543
VERMONT	590,943	748,212	946,258	886,590	1,214,441
VIRGIN ISLANDS				36,999	38,578
VIRGINIA	1,946,585	3,532,487	3,704,510	6,839,861	10,383,393
WASHINGTON	5,003,042	6,200,914	7,989,119	10,510,140	11,054,011
WEST VIRGINIA	1,595,140	1,823,086	1,913,420	2,012,688	2,545,997
WISCONSIN	5,102,546	7,973,405	9,597,270	10,029,403	12,723,028
WYOMING	191,272	280,427	387,739	503,122	599,701
NATIONWIDE TOTALS	$204,761,048	$229,797,947	$307,831,986	$338,853,096	$401,547,573

IRS FULL COLLECTIONS MADE
FOR FIVE CONSECUTIVE FISCAL YEARS

STATE	1984	1985	1986	1987	1988
ALABAMA	$0	$0	$0	$4,744	$26,804
ALASKA	0	0	1,140	2,048	420
ARIZONA	0	0	0	0	0
ARKANSAS	295	0	0	40	323
CALIFORNIA	42,385	21,225	39,645	57,8	25,027
COLORADO	1,738	3,412	22,664	0	585
CONNECTICUT	8,523	7,232	5,246	16,911	1,141
DELAWARE	302	602	0	0	0
DISTRICT OF COLUMBIA	0	0	0	0	0
FLORIDA	2,956	0	0	0	0
GEORGIA	206	0	0	0	0
GUAM	0	0	0	0	0
HAWAII	0	0	0	0	0
IDAHO	6,526	65	6,634	1,079	489
ILLINOIS	0	0	0	0	0
INDIANA	8,612	-260	0	200	0
IOWA	5,027	4,574	0	0	0
KANSAS	3,681	1,085	11,555	6,620	1,845
KENTUCKY	0	1,117	0	0	0
LOUISIANA	6,087	14,459	12,742	87,648	5,169
MAINE	19,205	11,889	1,032	5,442	11,240
MARYLAND	5,836	1,009	6,921	20,850	3,425
MASSACHUSETTS	51,187	97,617	86,021	45,423	23,138
MICHIGAN	0	0	0	0	0
MINNESOTA	11,608	1,159	13,250	3,892	10,872
MISSISSIPPI	0	0	0	0	0
MISSOURI	13,663	11,524	15,532	9,715	1,542
MONTANA	0	0	0	0	0
NEBRASKA	961	720	375	604	0
NEVADA	12,459	4,016	819	5,990	250
NEW HAMPSHIRE	1,283	4,695	0	0	0
NEW JERSEY	689	8,438	4,880	800	300
NEW MEXICO	9,940	4,970	2,874	2,045	642
NEW YORK	147,471	70,699	119,460	60,999	49,260
NORTH CAROLINA	2,347	0	23,165	2,880	0
NORTH DAKOTA	0	2,662	0	0	0
OHIO	1,485	272	4,078	0	640
OKLAHOMA	337	-447	452	62	0
OREGON	15,551	28,209	13,830	15,540	8,024
PENNSYLVANIA	24,688	6,379	2,368	59,458	6,806
PUERTO RICO	0	0	0	0	0
RHODE ISLAND	700	200	0	0	0
SOUTH CAROLINA	2,983	2,794	2,452	194	0
SOUTH DAKOTA	299	286	0	0	0
TENNESSEE	0	92	0	0	0
TEXAS	17,909	18,687	22,223	8,166	1,301
UTAH	0	5,700	14,097	6,844	16,098
VERMONT	1,316	0	7,669	0	0
VIRGIN ISLANDS	0	0	0	0	0
VIRGINIA	680	5,275	5,772	6,760	665
WASHINGTON	3,687	28,079	41,170	28,699	12,661
WEST VIRGINIA	2,765	200	100	388	699
WISCONSIN	0	0	0	0	0
WYOMING	309	198	1,652	1,803	0
NATIONWIDE TOTALS	$435,896	$360,753	$469,018	$464,035	$209,366

ACCOUNTS RECEIVABLE - AMOUNT OF TOTAL CURRENT AND PRIOR YEAR SUPPORT DUE AND RECEIVED, FY 1988

STATES	TOTAL COLLECTIONS DUE	TOTAL COLLECTIONS RECEIVED	PERCENT OF COLLECTIONS RECEIVED
ALABAMA	$143,958,126	$48,340,418	33.5%
ALASKA	140,185,751	23,794,098	16.9%
ARIZONA	74,935,365	26,674,266	35.5%
ARKANSAS	104,189,137	21,269,751	20.4%
CALIFORNIA	2,121,140,077	431,132,572	20.3%
COLORADO	228,547,089	35,130,642	15.3%
CONNECTICUT	110,719,333	65,706,754	59.3%
DELAWARE	61,230,000	18,404,000	30.0%
DISTRICT OF COLUMBIA	52,081,073	8,798,854	16.8%
FLORIDA	714,915,333	137,371,556	19.2%
GEORGIA	405,591,414	72,639,792	17.9%
GUAM	3,232,322	872,747	27.0%
HAWAII	94,637,000	19,095,000	20.1%
IDAHO	116,486,330	17,827,828	15.3%
ILLINOIS	264,416,636	110,348,950	41.7%
INDIANA	NA	NA	NA
IOWA	228,235,505	31,188,929	13.6%
KANSAS	219,808,670	29,924,221	13.6%
KENTUCKY	328,917,009	41,859,801	12.7%
LOUISIANA	153,368,506	50,845,873	33.1%
MAINE	192,082,979	34,488,799	17.9%
MARYLAND	821,835,340	221,848,903	26.9%
MASSACHUSETTS	663,964,568	155,395,186	23.4%
MICHIGAN	2,800,593,072	551,342,921	19.6%
MINNESOTA	315,436,060	115,116,672	36.4%
MISSISSIPPI	153,001,920	20,390,614	13.3%
MISSOURI	523,688,145	58,934,012	11.2%
MONTANA	74,973,175	6,141,069	8.1%
NEBRASKA	332,441,741	49,865,973	14.9%
NEVADA	110,235,860	17,978,114	16.3%
NEW HAMPSHIRE	92,063,138	21,032,550	22.8%
NEW JERSEY	1,103,131,328	285,852,144	25.9%
NEW MEXICO	57,378,013	10,690,630	18.6%
NEW YORK	899,078,662	292,609,801	32.5%
NORTH CAROLINA	310,831,738	89,230,399	28.7%
NORTH DAKOTA	16,021,885	6,476,610	40.4%
OHIO	471,480,556	94,882,436	20.1%
OKLAHOMA	149,878,000	20,906,281	13.9%
OREGON	412,576,148	66,963,363	16.2%
PENNSYLVANIA	992,008,360	529,228,875	53.3%
PUERTO RICO	180,673,079	74,956,907	41.4%
RHODE ISLAND	30,785,185	15,904,945	51.6%
SOUTH CAROLINA	46,634,643	21,079,734	45.2%
SOUTH DAKOTA	57,918,412	9,158,546	15.8%
TENNESSEE	178,309,539	57,725,539	32.3%
TEXAS	819,719,986	89,075,639	10.8%
UTAH	224,394,082	48,265,383	21.5%
VERMONT	28,361,759	7,085,277	24.9%
VIRGIN ISLANDS	10,929,949	5,655,678	51.7%
VIRGINIA	288,834,666	90,611,377	31.3%
WASHINGTON	559,315,300	81,912,501	14.6%
WEST VIRGINIA	68,068,646	12,969,933	19.0%
WISCONSIN	NA	NA	NA
WYOMING	73,274,019	4,559,533	6.2%
NATIONWIDE TOTALS	$18,626,514,629	$4,359,562,396	23.4%

ACCOUNTS RECEIVABLE - AMOUNT OF TOTAL CURRENT SUPPORT DUE AND RECEIVED, FY 1988

STATES	TOTAL COLLECTIONS DUE	TOTAL COLLECTIONS RECEIVED	PERCENT OF COLLECTIONS RECEIVED
ALABAMA	$62,874,092	$27,318,590	43.4%
ALASKA	40,958,370	17,220,458	42.0%
ARIZONA	58,338,342	23,411,974	40.1%
ARKANSAS	42,885,020	17,387,587	40.5%
CALIFORNIA	653,629,726	288,006,895	44.0%
COLORADO	61,231,046	27,203,151	44.4%
CONNECTICUT	79,605,196	43,666,749	54.8%
DELAWARE	19,555,000	10,948,000	55.9%
DISTRICT OF COLUMBIA	18,991,374	5,891,304	31.0%
FLORIDA	261,836,773	129,100,278	49.3%
GEORGIA	121,926,493	54,064,334	44.3%
GUAM	3,134,731	860,144	27.4%
HAWAII	44,731,000	18,008,000	40.2%
IDAHO	25,674,320	10,746,238	41.8%
ILLINOIS	181,538,066	82,077,515	45.2%
INDIANA	NA	NA	NA
IOWA	54,914,406	25,057,017	45.6%
KANSAS	55,889,643	19,551,901	34.9%
KENTUCKY	45,049,856	32,172,098	71.4%
LOUISIANA	69,585,228	41,779,775	60.0%
MAINE	41,867,239	25,393,730	60.6%
MARYLAND	196,087,700	144,288,696	73.5%
MASSACHUSETTS	294,183,496	133,765,890	45.4%
MICHIGAN	756,799,234	475,925,794	62.8%
MINNESOTA	108,959,004	82,437,629	75.6%
MISSISSIPPI	38,005,070	15,175,231	39.9%
MISSOURI	69,361,933	47,473,324	68.4%
MONTANA	12,189,714	3,426,805	28.1%
NEBRASKA	93,758,102	36,924,764	39.3%
NEVADA	23,115,025	14,471,717	62.6%
NEW HAMPSHIRE	63,835,079	20,356,128	31.8%
NEW JERSEY	349,187,979	217,852,346	62.3%
NEW MEXICO	12,037,621	7,082,882	58.8%
NEW YORK	464,391,714	189,881,041	40.8%
NORTH CAROLINA	102,988,338	63,534,958	61.6%
NORTH DAKOTA	11,112,505	4,606,110	41.4%
OHIO	242,076,541	81,135,252	33.5%
OKLAHOMA	34,927,000	3,711,634	10.6%
OREGON	89,141,292	41,765,504	46.8%
PENNSYLVANIA	588,000,770	436,192,089	74.1%
PUERTO RICO	113,130,640	65,273,275	57.6%
RHODE ISLAND	27,412,499	11,897,671	43.4%
SOUTH CAROLINA	46,633,704	19,907,445	42.6%
SOUTH DAKOTA	22,761,195	7,608,096	33.4%
TENNESSEE	76,024,116	46,465,110	61.1%
TEXAS	207,429,883	64,139,761	30.9%
UTAH	50,876,539	27,819,936	54.6%
VERMONT	16,441,904	5,881,540	35.7%
VIRGIN ISLANDS	7,054,048	4,518,663	64.0%
VIRGINIA	131,559,976	75,033,449	57.0%
WASHINGTON	137,695,277	47,262,029	34.3%
WEST VIRGINIA	40,309,214	8,368,899	20.7%
WISCONSIN	NA	NA	NA
WYOMING	15,507,039	3,804,488	24.5%
NATIONWIDE TOTALS	$6,387,210,072	$3,307,873,886	51.7%

INTERSTATE ACTIVITY - CASES IN WHICH COLLECTIONS WERE SENT TO OTHER STATES, FY 1988

STATES	TOTAL	AFDC AND FOSTER CARE	NON-AFDC	AFDC AND FOSTER CARE ARREARS ONLY
ALABAMA	5,113	2,127	2,563	423
ALASKA	5,192	1,949	2,842	401
ARIZONA	5,278	2,255	2,992	31
ARKANSAS	6,385	2,830	3,119	436
CALIFORNIA	63,226	24,073	33,801	5,352
COLORADO	11,391	3,873	7,162	356
CONNECTICUT	9,607	3,706	5,901	0
DELAWARE	1,257	184	1,073	0
DISTRICT OF COLUMBIA	3,593	1,712	1,881	0
FLORIDA	73,438	20,516	48,316	4,606
GEORGIA	12,843	3,229	9,252	362
GUAM	182	83	99	0
HAWAII	2,779	999	1,780	0
IDAHO	3,462	1,053	1,803	606
ILLINOIS	13,319	6,631	6,612	76
INDIANA	21,870	10,812	8,999	2,059
IOWA	4,101	1,542	2,205	354
KANSAS	7,546	1,321	4,444	1,781
KENTUCKY	7,821	2,458	5,304	59
LOUISIANA	9,088	3,312	5,757	19
MAINE	3,657	874	2,781	2
MARYLAND	5,941	205	5,698	38
MASSACHUSETTS	28,513	7,198	20,216	1,099
MICHIGAN	13,014	2,798	9,329	887
MINNESOTA	13,109	5,218	6,656	1,235
MISSISSIPPI	3,758	1,735	1,981	42
MISSOURI	6,131	1,672	4,282	177
MONTANA	849	304	451	94
NEBRASKA	4,142	1,845	2,022	275
NEVADA	12,446	3,996	6,555	1,895
NEW HAMPSHIRE	7,243	1,029	6,138	76
NEW JERSEY	46,105	8,858	36,416	831
NEW MEXICO	2,899	1,320	1,579	0
NEW YORK	127,400	740	118,828	7,832
NORTH CAROLINA	959	586	373	0
NORTH DAKOTA	1,335	498	610	227
OHIO	24,414	9,166	14,792	456
OKLAHOMA	7,239	2,943	4,296	0
OREGON	15,303	8,039	6,707	557
PENNSYLVANIA	69,321	14,339	54,042	940
PUERTO RICO	8,075	6,966	1,109	0
RHODE ISLAND	2,639	1,501	1,116	22
SOUTH CAROLINA	4,967	1,459	3,470	38
SOUTH DAKOTA	3,932	2,234	1,698	0
TENNESSEE	14,971	5,186	9,719	66
TEXAS	21,747	10,093	11,651	3
UTAH	4,832	1,662	2,636	534
VERMONT	545	218	299	28
VIRGIN ISLANDS	512	142	363	7
VIRGINIA	19,622	2,456	17,016	150
WASHINGTON	18,424	8,721	9,698	5
WEST VIRGINIA	2,534	73	2,394	67
WISCONSIN	6,184	1,935	4,106	143
WYOMING	3,174	1,324	1,850	0
NATIONWIDE TOTALS	773,427	211,998	526,782	34,647

INTERSTATE ACTIVITY - CASES IN WHICH COLLECTIONS WERE RECEIVED FROM OTHER STATES, FY 1988

STATES	TOTAL	AFDC AND FOSTER CARE	NON-AFDC	AFDC AND FOSTER CARE ARREARS ONLY
ALABAMA	5,322	1,869	2,906	547
ALASKA	3,747	651	2,240	856
ARIZONA	3,728	397	3,301	30
ARKANSAS	3,198	934	2,264	0
CALIFORNIA	63,267	22,637	35,598	5,032
COLORADO	5,443	1,311	3,363	769
CONNECTICUT	11,007	2,755	7,611	641
DELAWARE	980	183	797	0
DISTRICT OF COLUMBIA	957	512	445	0
FLORIDA	47,360	4,583	41,465	1,312
GEORGIA	11,993	1,865	8,756	1,372
GUAM	279	64	212	3
HAWAII	968	306	662	0
IDAHO	1,373	231	523	619
ILLINOIS	11,092	2,823	7,340	929
INDIANA	4,360	2,460	1,500	400
IOWA	8,016	2,578	3,286	2,152
KANSAS	2,215	403	1,280	532
KENTUCKY	9,947	1,900	7,405	642
LOUISIANA	10,081	2,078	7,989	14
MAINE	6,813	1,825	2,628	2,360
MARYLAND	20,059	3,955	15,604	500
MASSACHUSETTS	19,412	1,819	16,562	1,031
MICHIGAN	24,916	9,663	11,294	3,959
MINNESOTA	15,708	5,477	8,098	2,133
MISSISSIPPI	3,494	1,007	2,384	103
MISSOURI	3,462	1,125	1,876	461
MONTANA	682	117	439	126
NEBRASKA	5,306	662	3,915	729
NEVADA	7,495	405	6,249	841
NEW HAMPSHIRE	5,543	509	4,939	95
NEW JERSEY	42,445	4,894	35,662	1,889
NEW MEXICO	3,875	1,679	2,196	0
NEW YORK	120,969	20,719	85,490	14,760
NORTH CAROLINA	10,335	2,757	7,578	0
NORTH DAKOTA	1,748	693	592	463
OHIO	20,619	6,362	13,333	924
OKLAHOMA	3,834	972	2,661	201
OREGON	16,164	796	13,654	1,714
PENNSYLVANIA	104,013	28,416	72,604	2,993
PUERTO RICO	8,339	1,375	6,964	0
RHODE ISLAND	6,301	3,106	3,176	99
SOUTH CAROLINA	3,177	1,490	1,535	152
SOUTH DAKOTA	3,604	850	2,250	504
TENNESSEE	12,902	2,853	9,986	63
TEXAS	4,602	447	4,044	111
UTAH	5,616	1,006	2,870	1,740
VERMONT	2,139	1,046	770	323
VIRGIN ISLANDS	446	48	393	5
VIRGINIA	26,805	15,545	2,140	9,100
WASHINGTON	11,930	4,704	7,226	0
WEST VIRGINIA	3,634	1,121	2,267	246
WISCONSIN	10,305	4,504	5,187	614
WYOMING	1,654	445	1,209	0
NATIONWIDE TOTALS	743,839	183,032	496,718	64,089

INTERSTATE ACTIVITY - TOTAL COLLECTIONS MADE ON BEHALF OF OTHER STATES, FY 1988

STATES	TOTAL	AFDC AND FOSTER CARE	NON-AFDC
ALABAMA	$3,440,743	$1,174,987	$2,265,756
ALASKA	5,147,032	2,060,573	3,086,459
ARIZONA	5,022,609	1,910,329	3,112,280
ARKANSAS	2,186,680	1,069,572	1,117,303
CALIFORNIA	39,830,173	16,999,137	22,822,466
COLORADO	7,916,516	2,660,270	5,254,026
CONNECTICUT	6,109,237	1,774,599	4,334,638
DELAWARE	2,863,847	323,889	2,539,363
DISTRICT OF COLUMBIA	2,114,621	874,122	1,240,499
FLORIDA	30,660,218	9,329,444	21,320,492
GEORGIA	9,145,563	1,957,414	7,187,649
GUAM	120,445	42,299	78,146
HAWAII	695,295	380,422	314,873
IDAHO	2,090,086	854,653	1,235,433
ILLINOIS	7,948,330	3,482,589	4,465,741
INDIANA	5,174,676	2,812,070	2,354,948
IOWA	3,416,518	1,312,804	2,101,059
KANSAS	3,554,146	1,209,920	2,348,226
KENTUCKY	3,177,781	830,231	2,347,550
LOUISIANA	4,934,507	1,554,530	3,379,977
MAINE	1,839,206	320,411	1,518,795
MARYLAND	7,861,059	484,423	7,376,636
MASSACHUSETTS	8,425,492	3,074,333	5,351,159
MICHIGAN	6,499,148	2,021,208	4,477,940
MINNESOTA	5,428,238	2,429,990	2,995,972
MISSISSIPPI	1,688,415	630,855	1,057,560
MISSOURI	6,162,910	1,788,521	4,372,219
MONTANA	1,033,650	401,375	632,275
NEBRASKA	1,979,992	714,529	1,265,463
NEVADA	7,189,015	2,662,955	4,526,060
NEW HAMPSHIRE	2,333,014	363,743	1,969,271
NEW JERSEY	17,166,114	2,803,683	14,362,431
NEW MEXICO	1,838,912	692,822	1,146,090
NEW YORK	25,330,605	1,185,409	24,132,264
NORTH CAROLINA	393,303	353,982	39,321
NORTH DAKOTA	565,094	333,214	231,880
OHIO	10,185,410	3,220,674	6,964,736
OKLAHOMA	3,183,508	1,149,972	2,033,536
OREGON	7,848,672	3,721,322	4,127,350
PENNSYLVANIA	18,091,580	2,997,719	15,092,922
PUERTO RICO	2,838,153	2,838,153	0
RHODE ISLAND	1,422,099	816,247	589,908
SOUTH CAROLINA	4,228,421	2,723,889	1,504,532
SOUTH DAKOTA	1,171,708	635,089	536,619
TENNESSEE	6,531,344	2,069,704	4,461,640
TEXAS	13,683,973	5,660,720	8,021,465
UTAH	2,967,406	1,102,695	1,864,711
VERMONT	205,392	52,483	152,909
VIRGIN ISLANDS	265,552	57,030	208,522
VIRGINIA	10,018,713	1,938,982	8,053,058
WASHINGTON	10,639,059	4,286,106	6,351,410
WEST VIRGINIA	1,187,686	32,025	1,155,661
WISCONSIN	2,362,306	949,754	1,412,292
WYOMING	1,458,335	555,153	900,592
NATIONWIDE TOTALS	$339,572,707	$107,678,974	$231,795,088

INTERSTATE ACTIVITY - TOTAL COLLECTIONS RECEIVED FROM OTHER STATES, FY 1988

STATES	TOTAL	AFDC AND FOSTER CARE	NON-AFDC
ALABAMA	$4,167,255	$543,030	$3,624,225
ALASKA	1,480,993	352,548	1,128,445
ARIZONA	3,334,191	268,866	3,065,325
ARKANSAS	1,840,959	505,585	1,335,374
CALIFORNIA	31,342,500	11,569,301	19,301,048
COLORADO	1,167,004	758,028	397,405
CONNECTICUT	6,729,076	1,480,048	5,240,290
DELAWARE	2,082,472	325,141	1,753,977
DISTRICT OF COLUMBIA	504,925	229,633	275,292
FLORIDA	19,111,832	1,408,503	17,698,955
GEORGIA	8,051,319	783,681	7,267,404
GUAM	220,360	33,557	186,803
HAWAII	524,567	306,014	218,553
IDAHO	528,673	261,615	266,712
ILLINOIS	6,467,952	1,483,850	4,984,102
INDIANA	2,399,237	1,475,099	924,138
IOWA	3,999,926	1,656,334	2,338,632
KANSAS	552,372	358,408	192,626
KENTUCKY	2,898,360	176,407	2,721,953
LOUISIANA	6,689,354	1,107,023	5,581,888
MAINE	2,694,265	1,198,779	1,495,486
MARYLAND	7,560,582	1,320,273	6,234,145
MASSACHUSETTS	6,941,411	1,716,576	5,224,835
MICHIGAN	10,859,401	4,059,799	6,799,602
MINNESOTA	8,155,802	3,274,377	4,864,878
MISSISSIPPI	1,497,311	330,798	1,164,553
MISSOURI	2,007,488	593,897	1,413,270
MONTANA	493,126	139,565	353,561
NEBRASKA	3,067,771	626,931	2,433,193
NEVADA	3,698,002	429,720	3,268,282
NEW HAMPSHIRE	1,719,627	176,583	1,543,044
NEW JERSEY	14,231,055	2,091,924	12,138,699
NEW MEXICO	1,089,810	255,382	834,428
NEW YORK	23,508,707	4,860,537	18,584,015
NORTH CAROLINA	2,980,214	816,811	2,159,529
NORTH DAKOTA	700,254	406,470	292,009
OHIO	7,462,284	2,340,220	5,119,612
OKLAHOMA	1,375,313	258,151	1,117,162
OREGON	9,764,200	1,431,060	8,333,140
PENNSYLVANIA	27,835,005	5,672,293	22,100,426
PUERTO RICO	4,061,357	473,294	3,588,063
RHODE ISLAND	2,192,168	1,173,066	1,017,193
SOUTH CAROLINA	1,493,310	718,552	774,758
SOUTH DAKOTA	1,273,979	343,072	929,610
TENNESSEE	3,085,386	74,010	3,010,971
TEXAS	3,064,096	237,369	2,826,727
UTAH	2,751,873	1,003,837	1,748,036
VERMONT	1,190,990	799,933	390,817
VIRGIN ISLANDS	227,363	8,798	218,565
VIRGINIA	2,395,251	0	2,395,251
WASHINGTON	8,054,007	2,812,377	5,233,674
WEST VIRGINIA	2,473,590	651,712	1,818,421
WISCONSIN	6,802,475	2,857,412	3,931,457
WYOMING	1,024,928	268,098	756,589
NATIONWIDE TOTALS	$281,825,728	$68,504,427	$212,617,156